drug addicts and convicts gave strong support to the proposal. My mail reflected that.

After its introduction, however, the bill came under heavy fire. Pressure against it and, indeed, against any legislation that appears to pose a threat to the right "to keep and bear arms" guaranteed in the second amendment to the Constitution, came from:

A sizable number of the estimated 20,000,000 hunters and trapshooters in the United States; the Minutemen, an anti-Communist guerrilla organization, claiming 25,000 members and obtaining much of its armament through members who are also members of the National Rifle Association; publications serving the gun industry; sportsmen and gun enthusiasts; a number of wildlife groups that are linked in one way or another with the gun industry.

Politically influential sportsmen; a small but loud and well-organized minority consisting of legitimate sportsmen; decent people who were misled and misinformed; crackpots and vigilantes; and the hard core—those with a vested interest in gunrunning.

The extremists (some of whom said I and the committee were Communist dupes), and a group of lobbyists with their own financial interests at heart, campaigned to discredit the law.

To date, their efforts have succeeded, and the mail-order gun bill has still not become law.

One hundred and twelve days after I introduced this law, the crime of the century was committed in Dallas, Tex., with a mail-order gun. An hour later Oswald committed a second murder, this time with another mail-order gun. Both guns were purchased under cover of a false name and a false address by a known malcontent with a long history of emotional instability. Oswald was a man who had been discharged from the Marine Corps because of his quirks; who had twice attempted to give up his birthright as an American citizen; who could not hold a job, and was under investigation by the FBI. Yet, under the laws of this country, he could purchase deadly weapons as easily as tickets to a ball game.

The law I proposed to keep guns out of the hands of the Oswalds of the world has yet to be adopted. The gunrunners and lobbyists have had their day. By distorting the issue, confusing the public about the intent of the bill and contriving emotional but illogical interpretations of the Bill of Rights, the gunrunners have maintained their wide-open American market for untold millions of the world's surplus guns.

On January 6 of this year, I reintroduced my original bill, now known as Senate bill 14. I will ask the 89th Congress for the authority to conduct a deep investigation of the entire firearms problem. I will look for answers to such questions as:

Why is the United States the dumping ground for 75 percent of the world's surplus military weapons?

Why is there such a flood of surplus Soviet-bloc military weapons being peddled via the mail-order route in the United States?

Why are extremist groups able to obtain free ammunition under the Federal Government's program to support civilian interest in marksmanship?

In addition, I intend to identify and expose activities of the powerful lobbyists who have stopped gun legislation from being passed in every Congress.

We are planning a detailed inquiry into the activities of the major firms which import foreign weapons into the United States; and an investigation of the mail-order firms which traffic in these weapons in violation of State laws.

I am sure the Congress will give us the tools to expose this situation and that, at length, Congress will act to remedy it.

The American people will not forget the assassination of President Kennedy with a weapon fraudulently obtained through the mails, nor can they forget needless tragedies that they read about every day, inflicted by the millions of mail-order weapons that are sold each year to all comers, sight unseen.

The bill that I propose is only a beginning. It must be followed by appropriate laws and regulations in our States and in our communities.

It is time for a sane, civilized approach to the control of firearms in this country.

It is time for America to wake up.

SENATE

WEDNESDAY, MARCH 17, 1965

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father—eternal, sure, and still omnipotent, even when to us on this mortal stage the world we have known seems falling to pieces: We come to the dawning of each new day conscious of impending trends and ominous events which may shape the future and fix the destiny of teeming multitudes whose anguished insistence for more abundant life is like the sound of angry waters.

In such a time, to the councils of the Republic's leaders, whose words and acts are fraught with such awesome responsibility, give wisdom above and beyond their fallible judgments, we beseech Thee.

Amid all the distractions of the baffling days in which our lot is cast, keep our hearts childlike and trustful, free from feverish fright and corroding cynicism, so that the gates to the realm of unending wonder, closed to the merely clever and conceited, may be opened unto us as we go unafraid on our way, attended by the vision splendid of a redeemed earth.

In the Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, March 16, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Ratchford, one of his secretaries.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Permanent Investigations of the Committee on Government Operations and the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs were authorized to meet during the session of the Senate today.

COMMITTEE MEETING DURING SENATE SESSION

Mr. YARBOROUGH. Mr. President, on behalf of the senior Senator from Virginia [Mr. BYRD], I ask unanimous consent that the Committee on Finance be authorized to meet while the Senate is in session today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to consider executive business.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF STATE

The Chief Clerk read the nomination of Armin H. Meyer, of Illinois, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Iran.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Dwight J. Porter, of Nebraska, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Lebanon.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED NATIONS

The Chief Clerk read the nomination of Walter M. Kotschnig, of Maryland, to

be the Representative of the United States of America to the 21st session of the Economic Commission for Asia and the Far East of the Economic and Social Council of the United Nations.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF COMMERCE

The Chief Clerk read the nomination of Andrew F. Brimmer, of Pennsylvania, to be an Assistant Secretary of Commerce.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

FEDERAL TRADE COMMISSION

The Chief Clerk read the nomination of Mary Gardiner Jones, of New York, to be a Federal Trade Commissioner for the unexpired term of 7 years from September 26, 1959, to which office she was appointed during the last recess of the Senate.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I should like to say a word about the nomination of Mary Gardiner Jones, of New York, to be a Federal Trade Commissioner. Mary Gardiner Jones is a very distinguished New York lawyer, and one of the women whom the President said he would appoint to office in seeking to bring gifted women into our Government. I would class Mary Gardiner Jones among the finest of our women who practice the profession of law in the United States. I know the people of New York will feel as I do in congratulating her upon her nomination being confirmed for this very high office. We look forward with great expectation to an outstanding record from her based upon her capacity, ability, and integrity.

COAST AND GEODETIC SURVEY

The Chief Clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

U.S. COAST GUARD

The Chief Clerk proceeded to read sundry nominations in the Coast Guard.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations in the Coast Guard be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 1547. A bill for the relief of Michael Nick Patellis; and

S. 1548. A bill for the relief of Dr. Edward J. H. Nathaniel, his wife, Doris R. Nathaniel, and their children, Ranjit E. J. Nathaniel and Virgil E. C. Nathaniel; to the Committee on the Judiciary.

By Mr. SPARKMAN (by request):

S. 1549. A bill to empower the Federal National Mortgage Association to deal in conventional and other mortgages and to provide otherwise for its further development as a secondary market facility; to the Committee on Banking and Currency.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 1550. A bill to amend section 14 of the Natural Gas Act;

S. 1551. A bill to amend section 12 of the Natural Gas Act with respect to the issuance of securities for the construction, acquisition, or operation of pipeline facilities;

S. 1552. A bill to amend the Natural Gas Act with respect to the importation and exportation of natural gas;

S. 1553. A bill to amend the Natural Gas Act to authorize the Federal Power Commission to prescribe safety requirements for natural gas companies; and

S. 1554. A bill to amend subsection (b) of section 214 and subsection (c)(1) of section 222 of the Communications Act of 1934, as amended, in order to substitute the Secretary of Defense (rather than the Secretaries of the Army and Navy) as the person entitled to receive official notice of the filing of certain applications in the common carrier service; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. MAGNUSON (for himself, Mr. MCGEE, Mr. HART, Mr. MORTON, and Mr. HRUSKA) (by request):

S. 1555. A bill to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. ROBERTSON (by request):

S. 1556. A bill to authorize the Board of Governors of the Federal Reserve System to delegate certain of its functions, and for other purposes;

S. 1557. A bill to amend the Federal Reserve Act to enable Federal Reserve banks to invest in certain obligations of foreign governments; and

S. 1558. A bill to amend section 22(g) of the Federal Reserve Act relating to loans to executive officers by member banks of the Federal Reserve System, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. ROBERTSON when he introduced the above bills, which appear under a separate heading.)

S. 1559. A bill to amend the Federal Reserve Act in order to enable the Federal Reserve banks to extend credit to member banks and others in accordance with current economic conditions, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. ROBERTSON when he introduced the above bill, which appear under a separate heading.)

By Mr. MILLER:

S. 1560. A bill to amend title 18, United States Code, to protect the President of the United States, the Vice President of the United States, members of the Cabinet, and Members of the Congress, and for other purposes; and

S. 1561. A bill providing that the 12th day of October in each year shall be designated as Columbus Day, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. MILLER when he introduced the above bills, which appear under separate headings.)

By Mr. MILLER (for himself and Mr. HICKENLOOPER):

S. 1562. A bill to amend the act of July 26, 1956, to authorize the Muscatine Bridge Commission to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill.; to the Committee on Public Works.

(See the remarks of Mr. MILLER when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 1563. A bill to amend the Agricultural Act of 1949, as amended, relating to price support for milk and butterfat, to encourage consumption of dairy products, particularly butter, by payments on manufacturing milk and cream, and for other purposes; to the Committee on Agriculture and Forestry.

FINANCING OF HOUSING

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill to empower the Federal National Mortgage Association to deal in conventional and other mortgages and to provide otherwise for its further development as a secondary market facility. This bill is similar to, but is intended to supersede S. 787, a bill having the same purpose, which I introduced, by request, on January 27, 1965. The bill that I now introduce, again by request, has been drafted with full regard for certain changes made in the law by the Housing Act of 1964. It also contains several technical refinements that are not in S. 787.

For many years I have had a special interest in legislation related to the financing of housing. It is a matter of concern to me that the mortgage market facilities we have at the present time are not adequately organized for meeting the mortgage credit requirements of a growing population, especially the expected requirements during the approaching decade of the seventies when over 2 million new homes a year will be needed.

The Federal National Mortgage Association provides effective secondary market services for FHA-insured and VA-guaranteed mortgages, but there is no similar organization for conventional mortgages. Conventional mortgages are used in the financing of more than two out of every three homes purchased. The fact is, however, that conventional mortgages are regarded as unliquid.

Mortgage funds would flow more evenly between capital surplus and capital shortage areas, and there would be far less variation in borrowing costs, if conventional mortgages could be readily sold in the general secondary mortgage market. The existing lack of salability of these mortgages would undoubtedly be remedied if a secondary market organization such as FNMA were to provide a degree of secondary market services, and were concurrently to encourage increased uniformity in mortgage forms, procedures, property appraisal methods and standards, and in methods for determining the acceptable credit standing of mortgagors. It is not to be expected, nor would it be necessary, that changes toward such uniformity be accomplished immediately or simultaneously. Assuming a start could be made at this time, however, they could be gradually evolved as constructive changes occur in thinking, local practices, State statutes, and regulations.

FNMA has proven its skill as a secondary market facility under widely varying market conditions. Its operations have been highly effective in providing liquidity for mortgage investments, especially in tight money periods when it has made substantial amounts of mortgage funds available in capital shortage areas. Its past performances and more than 27 years of experience indicate that it would be able to provide effective secondary market services to all segments of the industry in the general secondary market for all types of mortgages, if the Congress empowered it to do so.

Also, as in the case of FNMA's present secondary market operations for FHA-insured and VA-guaranteed mortgages, such services would be financed almost entirely without Treasury funds. In this connection it should be noted that FNMA is a fully self-supporting mixed-ownership corporation, having more than $91 million of common stock in the hands of some 9,000 private shareholders. Under its regular secondary market operations, needed funds are obtained through the sale to private investors of its corporate obligations which are not Government guaranteed. On the income from those operations it pays a full Federal corporate income tax equivalent. The taxpayment for the fiscal year 1964 amounted to $13 million, and cumulatively for the past 10 fiscal years such taxpayments have amounted to more than $113 million.

I ask unanimous consent that the text of the bill and a summary of its provisions be printed in the RECORD.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). The bill will be received and appropriately referred; and, without objection, the text of the bill and the summary will be printed in the RECORD, as requested by the Senator from Alabama.

The bill (S. 1549) to empower the Federal National Mortgage Association to deal in conventional and other mortgages and to provide otherwise for its further development as a secondary market facility, introduced by Mr. SPARKMAN (by request), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 302(b) of the Federal National Mortgage Association Charter Act is amended to read as follows:

"(b)(1) For the purposes set forth in paragraph (a) of section 301 and subject to the limitations and restrictions of this title, the Association is authorized under section 304, pursuant to commitments or otherwise, to purchase, lend on the security of, service, sell, or otherwise deal in any mortgages which are insured or guaranteed as provided in subsection (b)(3) of this section, or which are insured or guaranteed by an underwriter and under a contract generally acceptable to private institutional mortgage investors (as determined by the Association), or which, although neither insured nor guaranteed, are of a quality generally acceptable to private institutional mortgage investors and otherwise meet generally the standards of the Association in its other operations under section 304: *Provided,* That the Association shall not purchase mortgages which are not insured or guaranteed as provided in subsection (b)(3) of this section and as to which the outstanding principal balances exceed 80 per centum of the appraised value of the properties covered thereby unless payment of such excess amount is insured or guaranteed by an underwriter and under a contract generally acceptable to private institutional mortgage investors.

"(2) For the purposes set forth in paragraphs (b) and (c), respectively, of section 301 and subject to the limitations and restrictions of this title, the Association is authorized under sections 305 and 306, pursuant to commitments or otherwise, to purchase, service, sell, or otherwise deal in any mortgages which are insured or guaranteed as provided in subsection (b)(3) of this section: *Provided,* That the Association shall not purchase any mortgages offered by, or covering property held by, a State or municipality or instrumentalities thereof; or under section 305, (i) at a price which exceeds 100 per centum of the unpaid principal amount thereof at the time of purchase, with adjustments for interest and any comparable items, or (ii) if the original principal obligation of the mortgage exceeds $17,500 for each family residence or dwelling unit covered thereby, excepting mortgages insured under section 220 or title VIII of the National Housing Act, or insured under section 213 of such Act and covering property located in an urban renewal area, or any mortgages covering property located in Alaska, Guam, or Hawaii.

"(3) For the purposes of this title, the terms 'mortgages,' 'home mortgages,' and 'first mortgages' shall be inclusive of any mortgages or other obligations insured or guaranteed under the National Housing Act, the Servicemen's Readjustment Act of 1944, chapter 37 of title 38, United States Code, or other Federal law."

The summary presented by Mr. SPARKMAN is as follows:

SUMMARY OF S. 1549

The purpose of this bill is to empower the Federal National Mortgage Association (FNMA) to deal in conventional and other mortgages and to provide otherwise for its further development as a secondary market facility. That purpose would be accomplished by revising section 302(b) of the Federal National Mortgage Association Charter Act so as to enlarge somewhat the scope of FNMA's operations. As so revised, section 302(b) would effect the changes indicated below.

Subsection (b)(1) would authorize FNMA, under its regular secondary market operations which are almost entirely privately financed, to purchase, lend on the security of, and otherwise deal in conventional mortgages which do not exceed 80 percent of the appraised value of the security. The same would be true of the mortgages when the loan-value ratio does exceed 80 percent, but only if the excess is covered by suitable mortgage insurance of an acceptable private insurer. The Association would also be authorized to deal in federally insured or guaranteed types of loans other than FHA-insured and VA-guaranteed, e.g., such loans insured by the Farmers Home Administration. Also, as to the secondary market operations, certain existing operating restrictions would be eliminated as not being appropriately applicable to a privately financed activity intended to serve the broad general secondary market for mortgages. These are the prohibitions against purchasing mortgages at a price (without regard to yield) exceeding par (100), and against purchasing mortgages offered by, or covering property held by, governmental instrumentalities.

As to FNMA's special assistance functions and its management and liquidating functions, which are in the main Treasury financed, subsection (b)(2) would have the effect of repealing the existing prohibition against the acquisition of mortgages from Federal instrumentalities, in order to provide for possible future centralization of Government mortgage ownership and management; present law already provides an important exception, in that mortgages can be acquired from the Housing and Home Finance Agency and its constituents under FNMA's management and liquidating functions. The bill would retain the restriction in existing law against acquisitions of mortgages from States and their instrumentalities; and, as to the special assistance functions, the prohibition against purchasing mortgages at a price exceeding par (100), and the $17,500 per-family-residence or dwelling-unit ceiling on mortgages eligible for purchase (as to which the bill does not change several exceptions provided by existing law). If and to the extent approved by the President of the United States, the subsection would authorize the Association under its special assistance functions to deal in the types of obligations permitted under the secondary market operations other than privately insured and conventional mortgages.

Uniformity of FNMA's operations as to federally underwritten mortgages is furthered by subsection (b)(3), which defines the scope to include, as noted above, not only FHA-insured and VA-guaranteed loans but also those insured or guaranteed under other Federal law.

AMENDMENT OF SECTION 14 OF NATURAL GAS ACT

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend section 14 of the Natural Gas Act. I ask unanimous consent to have printed in the RECORD a letter from the Chairman of the Federal Power Commission, requesting the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1550) to amend section 14 of the Natural Gas Act, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

FEDERAL POWER COMMISSION,
Washington, D.C., February 24, 1965.

Draft bill to amend subsection 14(a) of the Natural Gas Act—broadened informational authority.

Hon. HUBERT H. HUMPHREY,
President, U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Transmitted herewith for the consideration of the appropriate committee are 20 copies of a draft bill to amend subsection 14(a) of the Natural Gas Act to provide the Commission with broad authority to gather information concerning the operations of the natural gas industry, and to publish and disseminate appropriate information thereon for the benefit of consumers, interested agencies, and the industry itself. To achieve this objective, identical bills were introduced in the 88th Congress, S. 1463 and H.R. 5867.

The Commission is presently authorized under section 14 of the Natural Gas Act to make any investigation found necessary or proper in support of its regulatory jurisdiction, or to obtain information as a basis for legislative recommendations to the Congress. The proposal would extend the information-gathering authority of the Commission over the natural gas industry to cover all transactions involving natural gas whether or not they are subject to the Commission's regulatory jurisdiction. This is the kind of authority the Commission now exercises with great benefit to all segments of the electric power industry under section 311 of the Federal Power Act. Given comparable authority on the gas side the Commission can provide a broad informational service in the public interest without expanding its regulatory authority.

When Congress adopted the Federal Power Act in 1935, it conferred on the Commission regulatory jurisdiction primarily over the interstate wholesale aspects of the electric power industry but at the same time in section 311 provided for comprehensive informational authority over the electric power industry as a whole. The Senate committee report on the bill (S. Rept. 621, 74th Cong.) in discussing section 311 emphasized that "there should be the fullest possible information available at all times regarding any industry that has a monopoly in the supply of a basic necessity. Only the Federal Government can secure this information."

In adopting the Natural Gas Act 3 years later, a similar provision was not included. There is no reported explanation for this differentiation, but we may speculate that it resulted from the fact that at the time of the statute's enactment, the natural gas industry had not yet grown into a major nationwide fuel supply system. Thus, the need for comprehensive industry data other than that necessary for the Commission's immediate regulatory sphere was not then apparent. Since that time, the natural gas industry has grown into one of the major industries of the Nation, and natural gas is used in almost every State of the Union. The natural gas industry provides heat for approximately one-half of the homes of the country and supplies one-third of our national energy requirements. The need for detailed and continuing information concerning the basic resource, and about the industry which produces and markets it, is therefore now equally compelling with the need for electric energy information. Moreover, as the committee of the Congress pointed out in 1935, only the Federal Government can secure the complete information.

The end purpose, of course, would be to publish and disseminate appropriate information about the natural gas industry which would be of use and benefit to consumers, interested agencies of Federal, State, and local government, nongovernmental agencies, and the gas industry itself. One such effort would be the annual Commission publication of typical retail gas bills of residents in cities of 2,500 or more population, comparable to the Commission's publication of typical electric bills. In addition, with the total informational picture from production to ultimate distribution at its command, the Commission would be enabled to publish useful composite annual reports covering customer and sales summaries and physical plant information in a variety of classifications, such as by production, transmission, distribution, or storage functions. On a monthly basis the Commission could usefully produce summaries by regions or areas on sales and peak demand, and intermittently should be in a position to make certain forecasts of peak requirements and capacity additions.

This information would be useful not only to the Federal Power Commission in the course of regulation, but as well to the State commissions in performing their informational and regulatory work, to industry in stimulating improvements in performance at the technological and managerial levels, to the defense agencies in their planning for defense emergencies, and to Congress and the public generally in keeping informed on the state of the natural gas industry.

The sole intention is to widen the Commission's role in the gathering and dissemination of information. There is no intention that this bill would otherwise expand the present responsibilities of the Commission, and the bill is carefully limited in this respect. Moreover, if the Commission's experience in collecting and using electric energy data is any criterion, we envision no difficulty in compliance by, or hardship upon, those who would be expected to report. As in that field, the necessary forms would be prepared and supplied by the Commission, and the publishing of data would normally be in the form of composites, compilations, and summaries.

The Commission would, of course, make use whenever possible of material published by trade associations and others, and the bill so provides in the interest of avoiding duplicate effort and expense. The trade data in itself, however, cannot be a substitute for comprehensive and objective reporting by a Government agency which is empowered to obtain the necessary information.

Commissioner O'Connor disagrees with section 14(a)(2) of the proposed legislation insofar as it envisions ordering the submission of financial data with respect to the nonjurisdictional activities of natural gas producers. It is his view that the scope of section 14(a)(2) as regards producers should remain identical with that of the current section 14(a) which grants adequate authority, where necessary to obtain information concerning all jurisdictional activities.

The Bureau of the Budget has advised that the proposal is in accord with the program of the President, and we urge its adoption.

Respectfully,

JOSEPH C. SWIDLER,
Chairman.

AMENDMENT OF SECTION 12 OF NATURAL GAS ACT

Mr. MAGNUSON. Mr. President, by request, I introduce for appropriate reference, a bill to amend section 12 of the Natural Gas Act with respect to the issuance of securities for the construction, acquisition or operation of pipeline facilities. I ask unanimous consent that a letter from the Chairman of the Federal Power Commission, requesting the proposed legislation, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1551) to amend section 12 of the Natural Gas Act with respect to the issuance of securities for the construction, acquisition or operation of pipeline facilities, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter, presented by Mr. MAGNUSON, is as follows:

FEDERAL POWER COMMISSION,
Washington, D.C., February 24, 1965.

The Honorable HUBERT H. HUMPHREY,
President, U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: We are submitting herewith a proposed amendment to section 12 of the Natural Gas Act which would give the Federal Power Commission jurisdiction over the issuance and sale of securities by interstate natural gas pipeline companies. Natural gas pipeline company financing is not now subject to Federal regulation, except for a few companies subject to the Public Utility Holding Company Act of 1935, nor is there effective State supervision of pipeline security issues. Hence, most securities of the large interstate pipeline companies are issued and sold without any regulatory approval. The text of the proposed draft bill is identical with that of S. 1700 and H.R. 6790 which were introduced in the 88th Congress.

The requested legislation would give the Commission substantially the same authority over pipeline company securities that Congress conferred upon it in section 204 of the Federal Power Act, 16 U.S.C. 824c, with respect to interstate electric companies.

The proposed amendment would apply only to the interstate natural gas pipeline companies engaged in the transportation and sale of natural gas in interstate commerce or to persons who would become such a pipeline upon the receipt of a certificate and propose to issue securities to finace the pipeline's construction.

The bill would not apply to the so-called independent producers, who produce or gather and engage in sale but not in transportation of natural gas in interstate commerce. For the large independent producers natural gas production is typically but a small fraction of their total business activities and most of their investment funds are self-generated. In the case of the small independent producers financing by issuance of securities is also comparatively insignificant. The Commission would be given discretion to restrict further the scope of its supervision by exempting persons whose primary activities are not subject to regulation under the Natural Gas Act.

The legislation would enable the Commission to eliminate financing practices which could affect adversely the raising of capital by the pipelines at reasonable cost, including review of provisions in bond indentures which affect the cost of money such as limitations on ability to refinance. In connection with the raising of capital, the Commission would be in a position to require the pipelines to sell securities by competitive bidding rather than by private negotiation, which is the usual practice today. From experience with the sales of electric utility securities, pursuant to competitive bidding rules of the Commission under the Federal Power Act and of the SEC under the Public Utility Holding Company Act, it seems clear that, in general, competitive bidding for issues of pipeline bonds would result in a lower cost of money both by discouraging

monopoly in underwriting by a few investment bankers and by reductions in underwriters' fees. By putting the pipeline debt issues into public offering, competitive bidding would provide a broader market for them and a more widespread holding of such securities, which would have a stabilizing effect on bond prices.

Authority over pipeline company securities issues would also materially assist the Commission in discharging its responsibilities to natural gas consumers. Under existing law the Commission has no means of assuring that the pipelines maintain well-balanced capital structures and equity-debt ratios which can significantly affect rate of return, income taxes, and resultant customer rates. The proposed legislation would enable the Commission to assure a sound financial structure for the pipelines.

The continuing growth of the interstate pipelines gives added urgency to the proposed amendment of section 12 of the Natural Gas Act, and we recommend its enactment.

Commissioner O'Connor has asked me to note his opposition to the proposal on two grounds. First, it is his view that the abuses which necessitated conferring similar jurisdiction over securities of the investor-owned segment of the electric power industry have not been found in the natural gas transmission industry. He therefore sees no need for the legislation, and would regard the existing case law and accounting regulations as adequate to assure that abuses will not occur. Second, he believes that the proposed amendment would overturn traditional financing methods which, in his view, enabled the natural gas transmission industry to grow at an unprecedented rate and helped prevent the abuses that formerly prevailed in the electric power industry.

Respectfully,

JOSEPH C. SWIDLER,
Chairman.

Enclosure No. 5931.

AMENDMENT OF NATURAL GAS ACT WITH RESPECT TO IMPORTATION AND EXPORTATION OF NATURAL GAS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Natural Gas Act with respect to the importation and exportation of natural gas. I ask unanimous consent that a letter from the Chairman of the Federal Power Commission, requesting the proposed legislation, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1552) to amend the Natural Gas Act with respect to the importation and exportation of natural gas, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter, presented by Mr. MAGNUSON, is as follows:

FEDERAL POWER COMMISSION,
Washington, D.C., February 24, 1965.

The Honorable HUBERT H. HUMPHREY,
President, U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith for the consideration of the appropriate committee 20 copies of a draft bill which would amend section 2(7) of the Natural Gas Act to enlarge the definition of "interstate commerce" to include commerce across the international boundaries of the country. The effect would be to give the Commission the same control over the transportation and sale of natural gas in foreign commerce as it now has over transportation and sale in interstate commerce. Bills incorporating this recommendation were introduced into the 88th Congress (S. 1844 and H.R. 7286).

Section 1 of the Natural Gas Act declares that Federal regulation of the transportation and sale of natural gas in both interstate and foreign commerce is necessary in the public interest; and, section 3 of the act provides that Commission approval is required for any export of gas to a foreign country as well as for imports into this country. However, a 1948 decision of the Court of Appeals for the District of Columbia, *Border Pipeline Co. v. Federal Power Commission,* 171 F. 2d 149, held that the Commission did not have certification jurisdiction over the construction of pipeline facilities to be used to export natural gas. The present authority to approve exports and imports clearly does not give the Commission the degree of control over rates and the construction of facilities which would exist if sections 4, 5, and 7 of the act were applicable to such transactions.

There are compelling reasons for closing this gap in the Commission's jurisdiction. Natural gas import and export transactions with Canada and Mexico are increasing. These transactions substantially affect the gas supply for the interstate markets. The facilities and services of the importing and exporting companies are important elements of the natural gas industry, and can be effectively regulated only by Federal action coordinated with Federal regulation of the interstate movement and sale of natural gas within the United States.

Both foreign and interstate commerce in natural gas affect the public interest. Accordingly, we ask the Congress to amend the Natural Gas Act so that the same degree of regulatory control applies to foreign commerce in natural gas as presently applies to its interstate transportation and sale for resale.

Respectfully,

JOSEPH C. SWIDLER,
Chairman.

AMENDMENT OF NATURAL GAS ACT, RELATING TO SAFETY REQUIREMENTS FOR NATURAL GAS COMPANIES

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Natural Gas Act to authorize the Federal Power Commission to prescribe safety requirements for natural gas companies. I ask unanimous consent that a letter from the Chairman of the Federal Power Commission, requesting the proposed legislation, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1553) to amend the Natural Gas Act to authorize the Federal Power Commission to prescribe safety requirements for natural gas companies, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter, presented by Mr. MAGNUSON, is as follows:

FEDERAL POWER COMMISSION,
Washington, D.C., February 24, 1965.

The Honorable HUBERT H. HUMPHREY,
President, U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: I transmit herewith for the consideration of the appropriate committee 20 copies of a draft bill to amend section 7 of the Natural Gas Act by adding a new subsection authorizing the Commission to prescribe safety standards for the construction and operation of interstate natural gas pipelines. Similar bills were before the 87th Congress (S. 1600; H.R. 6960).

During the past 15 years the natural gas industry has built thousands of miles of large-diameter pipeline. Much of this mileage operates under pressures of 800 pounds or more per square inch, is in populated areas, and could constitute a threat to public safety unless constructed and maintained in accordance with high standards of safety.

The present proposal does not suggest that the industry is not adequately discharging its obligation to protect the public against the dangers inherent in the operation of natural gas pipelines. Indeed, the self-interest of the pipeline companies, as well as their obligation to the public, has made safety in operation a matter of importance for them. The industry's safety record to date is a good one. Unfortunately, however, because of the diversity of State action or inaction, there are no uniform standards. A number of States have adopted rules or regulations applying the code of the American Standards Association, some with modifications, but the majority of the States have not provided for any comprehensive safety regulation of the high-pressure pipelines.

The Natural Gas Act is silent on the matter of conferring safety jurisdiction on the Commission, in contrast to the regulatory statutes governing a number of other regulated industries, such as civil aviation, rail and motor carriage, and atomic energy. These statutes, like the Natural Gas Act, authorize agency certification or licensing of operations, but also deal specifically with safety considerations. With the enormous growth of the interstate network of pipelines since adoption of the Natural Gas Act in 1938, and in the absence of adequate and uniform State laws, every practicable step should now be taken by the Federal Government to protect the public from the inherent dangers associated with high-pressure pipelines.

Under the proposed authorization, the Commission would be in a position to prescribe a uniform, mandatory safety code for the interstate pipelines. In this regard, the setting of standards is the primary and immediate object of the legislation. The legislation and the contemplated regulations do not propose to displace or alter the primary obligation devolving upon each operator to provide for the protection of the public. Furthermore, the Commission is not seeking inspection and policing authority, a task which would involve considerable additional personnel and money. It is the Commission's belief that the pipeline companies have acted responsibly in matters of safety, and that the use of simple reporting requirements should produce an adequate check on compliance with the Federal standards which would be adopted.

For the foregoing reasons, the Commission urges enactment of the draft bill.

Commissioner O'Connor has asked me to note his opposition to the proposed legislation on the grounds that it is not needed and, if enacted, might do harm to the voluntary industrial safety program. In his view, the interstate gas transmission com-

panies have achieved a splendid safety record without governmental direction by continuing voluntary research in the safety field. He believes that governmental entry into the field would not only tend to reduce the incentive for voluntary industry research but would put the Commission in the role of a safety endorser—a role he feels it cannot realistically fulfill without Federal inspection and enforcement.

Respectfully,

JOSEPH C. SWIDLER,
Chairman.

AMENDMENT OF SUBSECTION (b) OF SECTION 214 AND SUBSECTION (c)(1) OF SECTION 222 OF COMMUNICATIONS ACT OF 1934

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend subsection (b) of section 214 and subsection (c)(1) of section 222 of the Communications Act of 1934, as amended, in order to substitute the Secretary of Defense—rather than the Secretaries of the Army and the Navy—as the person entitled to receive official notice of the filing of certain applications in the common carrier service. I ask unanimous consent that a letter from the Chairman of the Federal Communications Commission, requesting the proposed legislation, together with an explanation of the proposed legislation, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and explanation will be printed in the RECORD.

The bill (S. 1554) to amend subsection (b) of section 214 and subsection (c)(1) of section 222 of the Communications Act of 1934, as amended, in order to substitute the Secretary of Defense—rather than the Secretaries of the Army and the Navy—as the person entitled to receive official notice of the filing of certain applications in the common carrier service, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and explanation, presented by Mr. MAGNUSON, are as follows:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., March 5, 1965.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: The Commission has adopted as a part of its legislative program for the 89th Congress a proposal to amend section 214 and section 222 of the Communications Act of 1934, in order to substitute the Secretary of Defense (rather than the Secretaries of the Army and Navy) as the person entitled to receive official notice of the filing of certain applications in the common carrier service.

The Commission's draft bill to accomplish the foregoing objective was submitted to the Bureau of the Budget for its consideration. We have now been advised by that Bureau that from the standpoint of the administration's program there would be no objection to the presentation of the draft bill to the Congress for its consideration. Accordingly, there are enclosed six copies of our draft bill and explanatory statement on this subject.

The consideration by the Senate of the proposed amendment to the Communications Act of 1934 would be greatly appreciated. The Commission would be most happy to furnish any additional information that may be desired by the Senate or by the committee to which this proposal is referred.

Yours sincerely,

E. WILLIAM HENRY,
Chairman.

EXPLANATION OF THE PROPOSED AMENDMENT TO SECTION 214 AND SECTION 222 OF THE COMMUNICATIONS ACT OF 1933, AS AMENDED, IN ORDER TO SUBSTITUTE THE SECRETARY OF DEFENSE (RATHER THAN THE SECRETARIES OF THE ARMY AND NAVY) AS THE PERSON ENTITLED TO RECEIVE OFFICIAL NOTICE OF THE FILING OF CERTAIN APPLICATIONS IN THE COMMON CARRIER SERVICE

By the Commission:

This legislative proposal would amend sections 214(b) and 222(c)(1) of the Communications Act of 1934, as amended, to substitute the Secretary of Defense (rather than the Secretaries of the Army and Navy) as the person entitled to receive official notice of the filing of certain applications.

Presently, when a common carrier wishes to extend its lines or to discontinue or curtail existing common carrier services, it must file an application for permission to do so. Section 214(b) of the Communications Act provides that among those entitled to receive official notice of the filing of such an application are the Secretary of the Army and the Secretary of the Navy. A similar provision for official service is contained in section 222(c)(1), in cases of consolidations and mergers.

With a view to eliminating unnecessary paperwork, the Commission proposes that sections 214(b) and 222(c)(1) of the Communications Act of 1934, as amended, be amended to provide for official notice to the Secretary of Defense and to delete "Secretary of the Army" and "Secretary of the Navy" where those titles appear in such sections. Experience has proved that while copies of applications have been sent to the Departments of the Army, Navy, and Air Force, as well as the Secretary of Defense, the Department of Defense is the agency that makes the required reply in the vast majority of cases.

Limiting official notice to the Department of Defense in such cases should provide adequate notice to the military and, at the same time, eliminate unnecessary administrative work.

Adopted: October 28, 1964.

EXTENSION OF TIME FOR REPORT BY NATIONAL COMMISSION ON FOOD MARKETING

Mr. MAGNUSON. Mr. President, I introduce for appropriate reference a bill to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress, and to increase the authorization of appropriations for the Commission, together with the letter of transmittal from Commission Chairman Phil Sheridan Gibson.

I am pleased to announce that the bill is cosponsored by each of the Senate members of the Commission: the Senator from Wyoming [Mr. MCGEE], the Senator from Michigan [Mr. HART], the Senator from Kentucky [Mr. MORTON], and the Senator from Nebraska [Mr. HRUSKA].

In extending the life of the Commission to July 1, 1966, with a total authorization of $2,500,000, the bill conforms to the President's original proposal submitted to Congress April 1, 1964, and passed by the Senate May 18, 1964.

In order to get the Commission study underway without unnecessary delay, the Senate subsequently concurred in House amendments limiting the authorization to 1 year and $1.5 million, with the understanding that an additional 1 year extension would be sought during this session of Congress.

The Commission's mandate is so broad, its responsibility so great, its many tasks so complex that no one has doubted the need for a full 2-year period to do the job properly.

With the selection of an able executive director, a chief counsel, and a distinguished supporting staff, the Commission's studies and investigations are now proceeding with dispatch.

The first Commission hearing will be held in Cheyenne, Wyo., on April 1, 2, and 3.

At that hearing the Commission will look into buying and selling practices in markets for cattle and lambs as well as feedlot operations of packers. The same subjects will be the focus of hearings in Fort Worth, Tex., later that month on April 22, 23, and 24.

Another hearing has been scheduled for May 5, 6, 7, and 8 in Washington, D.C., to try to determine why there has been an increase in retail food margins—the gross profit on all items sold in supermarkets—in the past 10 years. Other hearings in process of being scheduled will have to do with various commodities, such as poultry and eggs, fruits, and vegetables, cereals, and cereal products, already under study by the staff of the Commission.

The Commission wants to find out what is happening to the number and size of firms in each major segment of the food industry and whether business is becoming more or less concentrated in the hands of a few. We are also attempting to determine how much the successive steps in processing and distribution are being integrated under the control of the same management. At the same time, we are trying to ascertain why such changes are taking place so that, in addition to evaluating if such changes are desirable, we can also predict future developments in the food industry.

To make these evaluations and predictions based on facts, the Commission must look into such things as economies of operation, promotion, ability to influence prices and other factors leading to "bigness" and vertical integration in the marketplace. At the retailing level, for instance, such specific subjects as retailers' versus manufacturers' brands; price policies, including specials and loss leaders; promotional activities; consumer services; how difficult or easy it is for new firms to enter the business and compete; costs, margins, and profits will all get a thorough survey. When it comes to the processing and distribution

of foods prior to retailing, the Commission work will be handled according to major commodity groupings.

In meats and livestock, attention will be directed to the sale of meat by packers to wholesalers and large retailers. Practices of buyers and sellers will be studied from the standpoint of efficiency of distribution, fairness of competition, manner of price determination, product differentiation, and relative bargaining power of participants. Livestock markets and feedlot operations of packers will be similarly examined.

Work in the poultry industry will emphasize the economic and technological effects of vertical integration from feed manufacturers and hatcheries to sale of final products.

In fruits and vegetables special attention will be directed to producer contracts, growers' bargaining efforts, and marketing orders.

Studies of bakery and cereal products will go into the structural problems in long-established areas, such as baking, as well as new products, new processes, and product differentiation in dry cereal products and prepared foods.

In the dairy industry, great attention will be given to mergers, marketing orders, and retail distribution by dealers.

The Commission will look into the price spread between the farmer and the consumer to try to ascertain what percentages of what labor costs, advertising, containers, transportation, profits, and so forth, are responsible for the spread.

One of our main goals is to determine whether costs are based on efficient processing and distribution, and whether price spreads are generally in line with necessary costs and reasonable profits.

Regulatory activities of Government will also be studied by the Commission's legal staff.

We must make it possible for the Commission to complete its study of our Nation's largest industry by granting it the time and funds it needs to do this job.

I ask unanimous consent that the Commission's letter of transmittal be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter of transmittal will be printed in the RECORD.

The bill (S. 1555) to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission, introduced by Mr. MAGNUSON (for himself and other Senators) (by request), was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

NATIONAL COMMISSION ON FOOD MARKETING,
Washington, D.C., February 19, 1965.

HON. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Transmitted herewith for consideration of the Congress is a draft bill, "To extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission."

On April 1, 1964, the President transmitted a draft bill to the Congress which would establish a bipartisan Commission to study and appraise the marketing structure of the American food industry. A 2-year study was contemplated, with a reporting date of July 1, 1966, and a total authorization of $2,500,000. Subsequently, legislation was enacted establishing the National Commission on Food Marketing (Public Law 88-354, July 3, 1964). This legislation established a reporting date of July 1, 1965, and authorized $1,500,000 for the study.

The draft bill would extend the final reporting date of the Commission to July 1, 1966, and increase the authorization for the study to a total of $2,500,000, as originally proposed. This authorization level covers the fiscal year 1965 appropriation, the fiscal year 1966 budget request, and a small amount in fiscal year 1967 for printing and "cleanup" expenses during the 90 days provided for terminating the affairs of the Commission.

The magnitude and complexity of the food industry make the charge given to the Commission a most difficult and challenging one. Although the establishment of the Commission was authorized in July 1964, an appropriation was not enacted until October 1964, so that several valuable months were lost before planning and staffing could be undertaken. The study is now well underway. A competent, objective staff has been assembled and several hearings have been announced. With a 1-year extension we are confident that we can provide the President and the Congress with a perceptive analysis of the changing structure of the food industry and will be able to provide guidelines for the maintenance of an efficient and competitive industry in the future. Without an extension it will be impossible, of course, to complete our study and fulfill the objectives of the legislation.

A similar letter is being sent to the Speaker of the House.

The Bureau of the Budget advises that the enactment of this proposed legislation would be in accord with the President's program.

Sincerely yours,

PHIL S. GIBSON,
Chairman.

PROPOSED LEGISLATION RELATING TO THE FEDERAL RESERVE BOARD

Mr. ROBERTSON. Mr. President, I am introducing, by request, three bills transmitted to me by the Federal Reserve Board. I ask unanimous consent that the three letters of transmittal and copies of the bills be printed in the RECORD at this point.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills and letters will be printed in the RECORD.

The bills, introduced by Mr. ROBERTSON, by request, were received, read twice by their titles, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 1556. A bill to authorize the Board of Governors of the Federal Reserve System to delegate certain of its functions, and for other purposes.

S. 1556

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended by adding after subsection (j) the following subsection:

"(k) To delegate, by published order or rule and subject to the Administrative Procedure Act, any of its functions, other than those relating to rulemaking or pertaining principally to monetary and credit policies, to one or more hearing examiners, members or employees of the Board, or Federal Reserve Banks. The assignment of responsibility for the performance of any function that the Board determines to delegate shall be a function of the Chairman. The Board shall, upon the vote of one member, review action taken at a delegated level within such time and in such manner as the Board shall by rule prescribe."

The letter accompanying Senate bill 1556 is as follows:

BOARD OF GOVERNORS,
FEDERAL RESERVE SYSTEM,
Washington, March 15, 1965.

The Honorable A. WILLIS ROBERTSON,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In recent years, the responsibilities and tasks of the Board of Governors have substantially increased both in determining monetary and credit policies and in the field of bank supervision.

The efficient and expeditious performance of these important functions could be seriously impaired in the absence of authority on the part of the Board to delegate certain types of bank supervisory functions that now must be performed by the Board itself in all cases. For example, the Board must, under present law, pass upon each investment in bank premises by a member State bank if such investment would exceed the amount of its capital stock.

Other Federal regulatory agencies now have more or less unlimited authority to delegate their functions pursuant to provisions of statute or reorganization plans. The Board considers that the Federal Reserve Act should be amended to provide the Board with similar authority.

A draft of a bill for this purpose is enclosed. It would authorize delegation of the Board's functions to members or employees of the Board or to the Federal Reserve banks, but would expressly preclude delegation of those functions relating to rulemaking and monetary and credit policies. Under the bill, the Chairman of the Board would assign responsibility for the performance of particular delegated functions. A provision requiring Board review of action taken at a delegated level, at the instance of any one member, would (1) assure any party adversely affected by such action of a means of administrative appeal and (2) provide the Board with an effective means for review and control of actions at the delegated level.

It would not be anticipated that the Board would delegate its more important functions. On the contrary, it is envisioned that only relatively minor functions would be delegated at the outset and that determinations whether to make further delegations would be made in the light of experience.

The Board urges that this proposal be given favorable consideration by your committee and by the Congress.

Sincerely yours,

WM. MCC. MARTIN, JR.

S. 1557. A bill to amend the Federal Reserve Act to enable Federal reserve banks to invest in certain obligations of foreign governments.

S. 1557

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (e) of section 14

of the Federal Reserve Act (12 U.S.C. 358) is amended to read as follows:

"(e) To establish accounts with other Federal Reserve banks for exchange purposes and, with the consent or upon the order and direction of the Board of Governors of the Federal Reserve System and under regulations to be prescribed by said Board, to open and maintain accounts in foreign countries, appoint correspondents, and establish agencies in such countries wheresoever it may be deemed best for the purpose of purchasing, selling, and collecting bills of exchange, and to buy and sell, with or without its endorsement, through such correspondents or agencies, bills of exchange (or acceptance) arising out of actual commercial transactions which have not more than ninety days to run, exclusive of days of grace, and which bear the signature of two or more responsible parties, and to buy and sell any securities which are direct obligations of, or fully guaranteed as to principal and interest by, any foreign government or monetary authority, and which have maturities from date of purchase not exceeding twelve months and are denominated payable in any convertible currency; and, with the consent of the Board of Governors of the Federal Reserve System, to open and maintain banking accounts for such foreign correspondents or agencies, or for foreign banks or bankers, or for foreign states as defined in section 25(b) of this Act."

The letter accompanying Senate bill 1557 is as follows:

BOARD OF GOVERNORS,
FEDERAL RESERVE SYSTEM,
Washington, March 15, 1965.

The Honorable A. WILLIS ROBERTSON,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Since February 1962, the Federal Reserve Bank of New York has engaged in foreign currency operations on behalf of the System Open Market Account and under directions of the Federal Open Market Committee. These operations have been encouragingly successful in accomplishing their basic purposes; i.e., the avoidance of disorderly conditions in international exchange markets, the furtherance of monetary cooperation with central banks of other countries maintaining convertible currencies, the moderation of temporary imbalances in international payments, and, in net effect, the safeguarding of the value of the dollar in international exchange markets.

These operations have been implemented by the establishment of reciprocal credit balances or "swap" arrangements between the New York Reserve Bank and foreign central banks. The authorization and guidelines for foreign currency operations adopted by the Federal Open Market Committee require that the New York Reserve Bank instruct foreign central banks with which it maintains accounts regarding the investment of amounts in excess of minimum working balances in accordance with the provisions of section 14(e) of the Federal Reserve Act.

Under section 14(e), idle amounts held by the Reserve bank in an account with a foreign bank may be invested in bills of exchange and acceptances that arise out of actual commercial transactions and have maturities of not more than 90 days, or they may be placed in an interest-bearing time account with the same or some other foreign bank. However, in certain instances there has been a scarcity of such paper for investment, time deposit facilities have not always been conveniently available, and, under present law, such idle funds could not be invested in obligations of foreign governments, such as foreign treasury bills. On the other hand, a foreign central bank having a balance or reciprocal credit or "swap" arrangements with the Federal Reserve Bank of New York may invest idle funds in its account with the Reserve bank in interest-bearing U.S. securities.

The disadvantage in this respect under which a Reserve bank must operate has handicapped the smooth operation of the foreign currency program. The situation would be remedied by an amendment to section 14(e) of the Federal Reserve Act that would specifically authorize a Federal Reserve bank to buy and sell securities with maturities not exceeding 12 months that are issued or guaranteed by foreign governments.

The Board recommends the enactment of such an amendment to the law. A suggested draft of a bill for this purpose is enclosed.

Sincerely yours,

WM. MCC. MARTIN, JR.

S. 1558. A bill to amend section 22(g) of the Federal Reserve Act relating to loans to executive officers by member banks of the Federal Reserve System, and for other purposes.

S. 1558

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (g) of section 22 of the Federal Reserve Act (12 U.S.C. 375a) is amended by striking out the first two sentences thereof and inserting in lieu thereof the following:

"(g) No executive officer of any member bank shall borrow from or otherwise become indebted to any member bank of which he is an executive officer, and no member bank shall make any loan or extend credit in any other manner to any of its own executive officers: *Provided,* That any member bank may extend credit, on terms not more favorable than those extended to other borrowers, to any executive officer thereof, and such officer may become indebted thereto, in an amount not exceeding $5,000, or, in the case of a first mortgage loan on a home owned and occupied or to be owned and occupied by such officer, in an amount not exceeding $30,000, but any such indebtedness shall be promptly reported by such officer to the board of directors of the bank of which he is an officer. If any executive officer of any member bank borrows from or if he be or become indebted to any other bank or banks in an aggregate amount exceeding that which he could lawfully borrow from the member bank of which he is an executive officer under this section, he shall make a written report to the board of directors of such member bank, stating the date and amount of such loan or loans or indebtedness, the security therefor, and the purpose for which the proceeds have been or are to be used."

The letter accompanying Senate bill 1558 is as follows:

BOARD OF GOVERNORS,
FEDERAL RESERVE SYSTEM,
Washington, March 15, 1965.

The Honorable A. WILLIS ROBERTSON,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Board of Governors wishes to recommend certain amendments to the provisions of section 22(g) of the Federal Reserve Act regarding loans by member banks of the Federal Reserve System to their executive officers.

These provisions presently prohibit a member bank from making loans to any of its executive officers, except in an amount not exceeding $2,500 and then only with the prior approval of a majority of the bank's board of directors. In addition, an executive officer is required to make a written report to his bank with respect to any loan obtained by him from any other bank.

The Board believes that these restrictions, first enacted in 1933, are unrealistically severe in the light of changed economic conditions and that they should be liberalized.

In 1956, in connection with the then proposed Financial Institutions Act, the Board recommended that the $2,500 exemption be increased to $5,000. This change was included in that bill as it passed the Senate in 1957; and the bill would have also relieved executive officers from the burden of reporting borrowings from other banks where they would not exceed $15,000 in the case of home mortgage loans or $5,000 in the case of other loans. The Report of the President's Committee on Financial Institutions in April 1963 recognized the desirability of increasing the $2,500 ceiling on the amount an executive officer may borrow from his bank.

The underlying purpose of restrictions on loans by member banks to their executive officers is unquestionably sound. However, the Board believes that some liberalization of these restrictions would not be contrary to the public interest. In addition to an increase in the basic ceiling on exempted loans, the law should provide a special exemption with respect to mortgage loans covering the purchase of an executive officers home.

Accordingly, the Board recommends (1) that an executive officer of a member bank be permitted to borrow from his own bank up to $5,000, or, in the case of home mortgage loans, up to $30,000; (2) that, in lieu of the present requirement for prior approval by the bank's board of directors with respect to exempted borrowings by an executive officer from his own bank, the officer be required to report any such borrowings to the board of directors; and (3) that reports as to borrowings from other banks be required only where they would exceed in the aggregate the amount an executive officer could borrow from his own bank. In connection with these changes, certain obsolete provisions of the law should be repealed.

To preclude favoritism, these changes should be accompanied by a requirement that any loan to a bank's executive officer shall be made on terms not more favorable than those extended to other borrowers.

There is enclosed a draft of a bill that would amend section 22(g) of the Federal Reserve Act along the lines above described. The Board urges favorable consideration of such a bill by your committee and by the Congress.

Sincerely yours,

WM. MCC. MARTIN, JR.

FEDERAL RESERVE SYSTEM ELIGIBLE PAPER

Mr. ROBERTSON. Mr. President, I am introducing, by request, a bill on the subject of eligible paper proposed by the Federal Reserve Board, which I understand is the same form as S. 2076 of the 88th Congress.

I ask unanimous consent that the Board's letter of transmittal and the Board's explanation of the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and explanation will be printed in the RECORD.

The bill (S. 1559) to amend the Federal Reserve Act in order to enable the Federal Reserve banks to extend credit to member banks and others in accordance with current economic conditions, and for other purposes, introduced by Mr. ROBERTSON, by request, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The letter and explanation presented by Mr. ROBERTSON are as follows:

BOARD OF GOVERNORS,
FEDERAL RESERVE SYSTEM,
Washington, March 15, 1965.

Hon. A. WILLIS ROBERTSON,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Board of Governors again wishes to recommend legislation that would permit member banks of the Federal Reserve System to borrow from the Federal Reserve banks on the security of any sound assets without paying a "penalty" rate of interest. This legislation would replace present provisions of the Federal Reserve Act that permit borrowings without a penalty interest rate only on the security of Government obligations or paper that meets certain outmoded "eligibility" requirements. These restrictive provisions should be amended so as to facilitate rather than penalize efforts by banks to meet the public's changing credit needs.

The original Federal Reserve Act authorized the Reserve banks to discount only certain types of paper arising out of "actual" commercial or agricultural transactions, subject to specified maturity limitations. The concept underlying this limited authority was that the liquidity of commercial banks could be assured only if the loans made by them were short term and self-liquidating in character. Related to this concept was the assumption that the pledging of such discounted paper by the Reserve banks as security for the issuance of Federal Reserve notes would serve as the basis for an elastic currency; it was expected that the volume of currency would expand and contract directly in response to the varying credit needs of the economy, as reflected by the volume of short-term borrowing by commercial and agricultural enterprises.

The principle that Federal Reserve credit should be extended only on the basis of short-term, self-liquidating paper was departed from as early as 1916, during the First World War, when the law was amended to authorize the Reserve banks to make 15-day advances to member banks, not only on the security of "eligible paper" but also on the security of direct obligations of the United States. A more significant departure occurred in 1932, when Congress authorized the Reserve banks to make advances to member banks in exceptional and unusual circumstances on any security satisfactory to the Reserve banks, although at a penalty rate of interest. This authority, at first temporary, was made permanent in 1935, and it is no longer limited to exceptional and unusual circumstances, although such advances continue to carry a penalty rate of interest.

The concept that limitation of discounts to short-term, self-liquidating paper would serve automatically to regulate the volume of Federal Reserve notes in circulation has also been departed from by amendments to the law and has been refuted by experience. In 1932, Congress authorized the issuance of Federal Reserve notes on the security of Government obligations in addition to eligible paper and gold. This authority was originally of a temporary nature, but it was made permanent in 1945. The volume of Federal Reserve notes today fluctuates with the changing demands of the economy without regard to the nature of the paper offered as collateral for Federal Reserve credit or pledged as security for Federal Reserve notes.

Each of these legislative changes took place during a period of economic stress that served to make clear the inadequacy of the original framework for Federal Reserve credit extension. The credit needs of American businessmen, farmers, and consumers were evolving in many ways that could not be adequately handled by the old instrument of short-term, commercial-type paper; and the rapid growth of both private and governmental economic activity generated credit requirements far in excess of those that could be supported by the relatively small volume of "eligible paper." For example, farmers today make much greater use of mechanized equipment; a modern combine represents a big investment, and requires longer term financing. Another example is the entry of banks into consumer lending in response to credit needs created by the mass marketing of automobiles and other durable consumer goods. Banks are now making term loans to business, too, in substantial volume, partly in response to economic changes and partly in recognition that a 2-year loan may be sounder than a 90-day loan made in the expectation of repeated renewals.

Despite changes in the character of paper held by commercial banks and the repeated and necessary departures from the original concept that discounts should be based only on short-term, self-liquidating paper, the law continues to impose unduly restrictive requirements as to the nature and maturity of the paper that may be discounted by the Reserve banks or offered as security for advances by the Reserve banks without payment of a penalty rate of interest.

For many years, it has been generally recognized that the concept of an elastic currency based on short-term, self-liquidating paper is no longer in consonance with banking practice and the needs of the economy. It has long been apparent that the narrow requirements of the law regarding "eligible paper" serve no useful purpose and that it would be preferable to place emphasis on the soundness of the paper offered as security for advances and the appropriateness of the purposes for which member banks borrow. The 1-year paper of many bank customers that is not now eligible for discount may be as satisfactory collateral as the 90-day notes of other customers. Moreover, the nature of the collateral provides no assurance that the borrowing bank will use the proceeds for an appropriate purpose.

As long as member banks hold a large enough volume of Government securities, they need not, of course, be particularly concerned as to the eligibility for discount with the Reserve banks of customers' paper held by them. Since World War II, however, there has been a sharp net decline in the aggregate holdings of Government securities by member banks. If a continuing substantial increase in economic activity should cause banks further to reduce their holdings of Government securities in order to meet increased credit demands, many banks would be obliged to tender other kinds of collateral if they should seek to obtain Federal Reserve credit.

If such a situation should develop, the Reserve banks could accept technically "ineligible" paper as collateral for advances to their member banks only under section 10(b) of the Federal Reserve Act at a rate of interest one-half of 1 percent above the regular discount rate. However, the necessity for distinguishing between "eligible" and "ineligible" paper would give rise to cumbersome administrative procedures that are not warranted by the exigencies of current banking conditions. In order to avoid these problems, it would clearly be preferable to move in advance and to revise and update the law so as to eliminate the existing restrictions with respect to "eligible paper."

The Board of Governors and the Federal Reserve banks believe that such a revision of the law would be desirable so that the Reserve banks will always be in a position to perform promptly and efficiently one of their principal responsibilities—the extension of appropriate credit assistance to member banks to enable the latter to meet the legitimate credit needs of the economy.

Accordingly, the Board again urges that legislation of the kind here proposed be given favorable consideration by your committee and by the Congress. A draft of the bill in the form previously proposed and as introduced in the last Congress (S. 2076, 88th Congress) is enclosed herewith, along with a section-by-section explanation and a document showing textual changes that would be made in present law.

Sincerely yours,

WM. MCC. MARTIN, Jr.

EXPLANATION OF PROPOSED BILL REGARDING ADVANCES BY FEDERAL RESERVE BANKS

In general, the first section of this bill would confer upon the Federal Reserve banks broad authority to make advances on any satisfactory security; and the remaining sections of the bill are largely of a conforming nature.

Section 1. A new section 13A would be inserted in the Federal Reserve Act. It would authorize any Federal Reserve bank to make advances to any of its member banks on the note of the member bank secured to the satisfaction of the Reserve bank, subject to such limitations, restrictions, and regulations as the Board of Governors of the Federal Reserve System may prescribe. In making such advances, the Reserve bank would be required to give due regard to the "maintenance of sound credit conditions and the accommodation of commerce, industry, and agriculture" and to keep itself informed as to the character and amount of the loans and investments of its member banks, with a view to determining whether undue or inappropriate use is being made of bank credit for speculative purposes or for purposes inconsistent with the maintenance of sound credit conditions. These requirements are substantially the same as those now prescribed by the eighth paragraph of section 4 of the Federal Reserve Act.

In addition to advances to member banks, the Reserve banks would be authorized to make advances to individuals, partnerships, and corporations on the security of obligations of the United States, an authority similar to that now contained in the last paragraph of section 13 of the Federal Reserve Act, although the new authority, like that with respect to advances to member banks, would not specify any maturity limitation. As under present law, the authority to make advances to "corporations" would cover advances to nonmember banks.

Section 2. Because they would be superseded or rendered obsolete by the authority conferred by the new section 13A, the provisions of the Federal Reserve Act hereafter described would be repealed.

Section 10(a) of the act (12 U.S.C. 347a), enacted in 1932, authorizes advances to groups of five or more member banks. This authority has never been utilized and would be unnecessary in the light of the new authority.

Section 10(b) (12 U.S.C. 347b), containing authority for advances to member banks on any satisfactory security but at a one-half-of-1-percent penalty interest rate, would likewise be rendered unnecessary by the new legislation.

Section 11(b) of the act (12 U.S.C. 248 (b)), authorizing the Board of Governors to permit or require a Federal Reserve bank to rediscount the discounted paper of other Reserve banks, has not been used since 1933 and is of no practical importance today.

The 2d, 3d, 4th, 5th, 6th, 8th, 10th, and 13th paragraphs of section 13 of the act (12 U.S.C. 343, 344, 345, 346, 347, 361, and 347c, respectively), contain the basic provisions of present law regarding discounts and advances by the Federal Reserve banks. These provisions limit "eligible paper" to paper "issued or drawn for agricultural, industrial, or commercial pur-

poses, or the proceeds of which have been used, or are to be used, for such purposes"; provide emergency authority (never used) for the discounting of "eligible paper" for individuals, partnerships, and corporations; authorize the discounting of "sight" drafts in certain limited circumstances; authorize the discounting of bankers' acceptances and "dollar exchange" acceptances of the kinds described in paragraphs 7 and 12 of section 13; limit the amount of paper of one obligor that may be discounted for a member bank; authorize advances (as distinguished from "discounts") to member banks secured by Government obligations or "eligible paper"; provide for the regulation of discounts by the Board; authorize advances to individuals, partnerships, and corporations on the security of Government obligations; authorize the discounting of agricultural paper, paper held by Federal intermediate credit banks, and paper of cooperative marketing associations; and provide that certain types of real estate loans by national banks shall be regarded as "commercial" paper for discount purposes. All of these provisions would either be superseded or covered by the new section 13A added by section 1 of the present bill.

Section 3. The eighth paragraph of section 4 of the act (12 U.S.C. 301) presently requires each Federal Reserve bank to consider the maintenance of sound credit conditions and the accommodations of commerce, industry, and agriculture in extending credit to member banks, and to keep itself informed regarding undue uses of bank credit for speculative purposes; and the Board of Governors is authorized to suspend any member bank from access to Federal Reserve credit for such undue use of bank credit. These provisions would be retained in substance in the new section 13A. Accordingly, the similar provisions of section 4 would be repealed, so that the eighth paragraph of that section would provide only—as it does now—that the board of directors of each Federal Reserve bank shall administer its affairs "fairly and impartially and without discrimination in favor of or against any member bank or banks."

Section 4. The 13th paragraph of section 9 of the act (12 U.S.C. 330) would be amended to repeal the proviso limiting the amount of paper of one obligor that may be discounted for any member bank. This limitation, like the similar limitation in section 9 of the act, appears unnecessary in view of the fact that most State laws limit the amount of loans that may be made to one borrower by State banks, in terms similar to those applicable to national banks under section 5200 of the Revised Statutes.

Section 5. The last sentence of section 11(c) of the act (12 U.S.C. 248(c)), regarding the addition to the "discount" rate of any tax paid by the Reserve banks on deficiencies in their reserves against Federal Reserve notes, would be modified to refer to the "interest" rate charged on advances under the new section 13A.

Section 6. The language of the last sentence of section 11(m) of the act (12 U.S.C. 248(m)), regarding suspension of "rediscount privileges" for certain increases in loans secured by stock or bond collateral, would be conformed to refer to suspension of "use of the credit facilities" of the Federal Reserve banks.

Section 7. The provision of section 12 of the act (12 U.S.C. 262), authorizing the Federal Advisory Council to make recommendations in regard to "discount rates" and "rediscount business," would be changed to refer to advances under the new section 13A and interest rates on such advances.

Section 8. The first paragraph of section 14 of the act (12 U.S.C. 353) would be amended to eliminate a reference to paper "eligible for rediscount" and, at the same time, to omit a reference to regulation of Federal Reserve bank open market operations by the Board of Governors, a function that has been subject to regulation since 1935 by the Federal Open Market Committee.

Section 9. A conforming change would be made in section 14(c) of the act (12 U.S.C. 356) to eliminate a reference to paper "arising out of commercial transactions, as hereinbefore defined."

Section 10. Section 14(d) of the act (12 U.S.C. 357), relating to the fixing of discount rates, would be amended to refer to interest rates under the new section 13A. At the same time, this provision would be broadened to authorize the fixing of different rates, not only for different classes of paper, but also "according to such other basis or bases as may be deemed necessary" to accomplish the purposes of this provision. The amended provision would also include separate authority as to rates on advances to individuals, partnerships, and corporations under subsection (c) of the new section 13A.

Section 11. The provision of section 16 of the act (12 U.S.C. 412) authorizing the use of paper acquired under section 13 as security for Federal Reserve notes would be modified to refer to "notes of member banks or others acquired under the provisions of [the new] section 13A of this Act."

Section 12. The provision of section 19 of the act (12 U.S.C. 463), prohibiting member banks from acting as agents for nonmember banks in obtaining Federal Reserve discounts, without the Board's permission, would be conformed to refer to advances instead of discounts.

Section 13. A provision of section 23A of the act, relating to security for loans to affiliates of member banks, would be conformed to eliminate a reference to drafts "eligible for rediscount."

Section 14. A provision of the act of July 21, 1932 (12 U.S.C. 1148), authorizing agricultural credit corporations to rediscount "eligible paper" with the Federal Reserve banks, would be repealed.

PROPOSED AMENDMENT OF TITLE 18, UNITED STATES CODE, TO PROTECT THE PRESIDENT, VICE PRESIDENT, MEMBERS OF THE CABINET, AND MEMBERS OF CONGRESS

Mr. MILLER. Mr. President, I send to the desk a bill to amend title 18, United States Code, to protect the President of the United States, the Vice President of the United States, members of the Cabinet, and Members of Congress, and for other purposes, and ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1560) to amend title 18, United States Code, to protect the President of the United States, the Vice President of the United States, members of the Cabinet, and Members of the Congress, and for other purposes, introduced by Mr. MILLER, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. MILLER. Mr. President, I invite the attention of the Senate to the fact that it has been some time since the tragedy in Dallas. Congress long ago should have moved to enact appropriate legislation such as the bill which I am introducing today.

This bill would make it a violation of law to kill the President of the United States, the Vice President, or other important Federal officials. I hope that it will receive prompt attention and favorable consideration by the committee to which it will be referred.

DESIGNATION OF OCTOBER 12 AS COLUMBUS DAY

Mr. MILLER. Mr. President, I send to the desk a bill providing that the 12th day of October in each year shall be designated as "Columbus Day," and for other purposes, and ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1561) providing that the 12th day of October in each year shall be designated as Columbus Day, and for other purposes introduced by Mr. MILLER, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. MILLER. Mr. President, unlike previous bills on this subject, the bill does not make October 12 a national holiday. However, it does designate October 12 as Columbus Day, requires that public officials display the flag, and invites the people of the United States to observe the day with appropriate ceremonies.

MAINTENANCE AND OPERATION OF MISSISSIPPI RIVER BRIDGE AT MUSCATINE, IOWA

Mr. MILLER. Mr. President, on behalf of the Senator from Iowa [Mr. HICKENLOOPER], and myself, I introduce a bill to amend the act of July 26, 1956, authorizing the Muscatine Bridge Commission to maintain and operate a bridge across the Mississippi River at or near the city of Muscatine, Iowa, in the town of Drury, Ill., and ask that it be printed and appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1562) to amend the act of July 26, 1956, to authorize the Muscatine Bridge Commission to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill., introduced by Mr. MILLER (for himself and Mr. HICKENLOOPER), was received, read twice by its title, and referred to the Committee on Public Works.

Mr. MILLER. Mr. President, I invite the attention of the Senate to the fact that the bill was introduced last year both in the House and the Senate, and again this year by Representative SCHMIDHAUSER, in whose district Muscatine is located.

Last year, the bill passed the House but was not reported by the Committee on Public Works of the Senate.

There is a deep and urgent need for a new bridge at Muscatine, Iowa. I hope that this bill will receive the favorable and prompt consideration of the committee to which it will be referred.

ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of March 4, 1965, the names of Mr. BARTLETT, Mr. METCALF, and Mr.

RIBICOFF were added as additional cosponsors of the bill (S. 1357) to revise existing bail practices in courts of the United States, and for other purposes, introduced by Mr. ERVIN (for himself and other Senators) on March 4, 1965.

ROLE OF SMALL BUSINESS IN THE SOLUTION OF THE UNEMPLOYMENT PROBLEM

Mr. SPARKMAN. Mr. President, unemployment is considered by many thoughtful observers to be our Nation's most serious domestic problem. Only last week, in his annual manpower report to Congress, President Johnson emphasized that the current rate of unemployment, which is about 5 percent of the labor force, is much too high.

Accompanying the President's report was a statement from the Department of Labor which said that in order to reduce the ranks of the jobless from the current 5 percent to "a more acceptable level" by 1970, an annual increase in our gross national product of 4.75 percent would be required.

With these pressing considerations in mind, Mr. President, I should like to call attention briefly to the importance of small businesses in our national effort to combat the menace of unemployment. In this connection, it is pertinent to realize that this year alone some 3,700,000 young Americans will reach job-hunting age.

The vital question is: Can our economy provide these needed jobs? I believe that it can, Mr. President, on condition that our almost 5 million smaller businesses throughout the country could be helped to expand to the point where each might hire just one additional employee. The arithmetic of this proposition, Mr. President, is persuasive. And even if every small business concern cannot generate enough additional business activity to require the hiring of just one more worker, should a substantial proportion of our small business firms be able to do so, a very long step would be taken toward a solution of our unemployment problem.

That is one good reason, Mr. President, that I place so high a value on the work of the Small Business Administration, that agency created by Congress to assist small independent business firms to become more significant factors in our highly competitive economy.

As an indication of the role which the SBA plays in creating job opportunities by means of strengthening the small business sector of our national economy, it is my understanding that the 11,000 qualified small firms which successfully applied to the SBA for loans last year payrolled more than 115,000 employees.

Without doubt, these thousands of small companies, located on the main streets of every State in the Union, would not have been able to maintain or to increase their payrolls had the financial aid programs of the Small Business Administration not been available to them.

In approving almost 11,000 business loans last year with a value of $425,800,000, the Small Business Administration achieved a record level of lending activity.

The magnitude of the Small Business Administration's lending activity last year may be gaged in relation to the previous high in SBA's business loan approvals. This amounted, in 1961, to 6,836 loans for a total of $369,400,000.

Thus, this agency created by Congress exceeded last year its previous lending peak by approving loans for about 62 percent more small concerns. This was coupled with a 15-percent increase in the dollar volume of the loans.

Every Member of Congress is aware, Mr. President, of the many direct and indirect benefits—both social and economic—which flow from the financial assistance program of the Small Business Administration. For example, economic activity in my own State of Alabama was given added impetus last year by reason of the 89 SBA business loans made to small independent enterprises in my State. The amount of these loans was almost $5 million.

It should be borne in mind, however, that the total sum disbursed by the SBA was considerably less than $5 million. This is because many of these loans were made in participation with local banks in Alabama. In fact, the local banks participated in two-thirds of the SBA business loans in Alabama last year.

It is also important to realize that the 89 small firms in Alabama which received these loans provided employment for 1,400 citizens of Alabama. We can safely assume that had this financial aid not been available, those small firms would not have been able to maintain their payrolls at the level needed to provide 1,400 jobs.

The much more likely probability is that, lacking the needed funds for growth and expansion, these small business borrowers in Alabama would have been forced to curtail their business activity and even to lay off some employees.

Helpful as these direct loans to small business concerns have been, they do not tell the whole story. Last year, an additional 6,700 new job opportunities were also made available by means of some 200 loans to local development companies, as authorized by section 502 of the Small Business Investment Act. These loans totaled $30,700,000.

One of the most encouraging aspects of the financial assistance program of the Small Business Administration is the cooperation which the agency has received from the private banking community. Last year the agency started a drive to interest banks in buying some of its outstanding loans. Since then, 706 seasoned business loans with a value of $23,600,000 have been purchased by banks. These loans which are acquired by the banks are guaranteed by SBA up to 90 percent of the loan in case of default.

The advantages of this plan are obvious. It makes it possible for the banks, almost without any element of risk, to provide for the credit requirements of small concerns in their communities. In doing so, of course, they acquire new customers whose accounts may be a source of mutual benefit for years to come.

It seems to me, Mr. President, that here we have a splendid example of a Federal aid program that stepped into a vacuum which needed to be filled, and in so doing, is managing to inspire local self-help groups, in this case the community sources of credit, to undertake a large part of the job. We have here, then, a fine illustration of a working partnership between the Government and its citizens.

In this connection, Mr. President, one other point should not be overlooked. We are now crossing the threshold of the fifth year of booming business conditions. The continuing prosperity of the past 48 months has created a spirit of optimism within the business community. This has brought about a heavy demand from small businessmen for needed funds to keep pace with the great consumer demand for goods and services. One result of this confidence of businessmen in the future has been a heavy demand upon the Small Business Administration for loans.

Coupled with this need for funds to modernize, to buy needed equipment for inventory and for working capital, another demand of unprecedented dimensions was made upon the SBA revolving fund last year as a consequence of several major natural disasters. Nature, in a series of malevolent moods, wreaked havoc in many sections of the Nation from Alaska to Florida, from New York to California.

One result of these disasters was that more than 4,000 victims received almost $92 million in loans from SBA last year. This was nearly half as much as the total of all disaster loans made by the agency in the previous 10 years.

These are the reasons, Mr. President, that the agency's revolving fund is now almost depleted. I am informed that the only money available for loans is that which is coming in from interest and principal payments on existing loans plus what is realized from the sale of loans to banks. From its wholly inadequate reservoir of funds, the agency must make wholly inadequate weekly allocations of lending funds to its field offices.

Consequently, so far as its vital lending function is concerned, the SBA is now leading a hand-to-mouth existence to the almost complete frustration of its congressional mandate and perhaps also to the permanent disadvantage of many small business concerns whose need for financial help cannot be postponed indefinitely.

I feel confident that the committees which are now considering the appropriation request of the Small Business Administration are aware that the agency's financial assistance program is at a virtual standstill. Once, however, SBA's revolving fund has been replenished, we can expect that this extremely important small business service will be resumed at a rate consistent with the demonstrated needs of our national community of small businessmen—in their dual and essential roles of enterprisers and employers.

U.S.S.R. AGREES TO JOIN INTERNATIONAL PATENT AGREEMENT

Mr. JAVITS. Mr. President, I call the attention of my colleagues to a rather

important development in the field of East-West trade; namely, the announcement yesterday by the Soviet Union to join the International Agreement on Patents.

While other East European Communist nations have been members of the pact for many years, the Soviet Union refused to adhere to it for reasons of its own and thereby lessened confidence of Western businessmen in the Soviet Union's willingness to conduct its commercial relations on the basis of rules widely accepted among major trading nations. The Soviet Union's announced intention to submit itself to accepted international procedures regarding patents is a significant development as it could be interpreted as an indication that the U.S.S.R. is now willing to consider negotiations with the West concerning such other commercial impediments to the normalization of trade between the East and the West as: First, the lack of access of Western businessmen to the plants and industries they serve in the Soviet Union; second, the absence of impartial arbitration in the settlement of commercial disputes between state monopolies and Western businessmen; and third, the unwillingness of the Soviet Union to adhere to GATT rules on dumping and market disruption. The problem of compensating the copyrights of Western authors also remains a major problem that has defied solution despite efforts by such prominent Americans as John Steinbeck, Robert Frost, and Adlai Stevenson to persuade Soviet authorities to agree to an equitable settlement to this problem.

I have long urged Western negotiations with the Soviet Union on these commercial problems on the basis of a code of fair trade practices, and I urge again that this new development be utilized for negotiations on this basis.

I ask unanimous consent to have included in the RECORD at the conclusion of my remarks an article and an editorial from the New York Times of March 17, 1965, entitled "Moscow Agrees To Sign International Patent Pact" and "U.S.S.R.'s New Patent Policy."

There being no objection, the article and the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 17, 1965]

MOSCOW AGREES TO SIGN INTERNATIONAL PATENT PACT

GENEVA, March 16.—The Soviet Union moved toward closer economic relations with the West by announcing today its intention to join the international agreement on patents and other industrial property rights.

Yevgeny Artemyev, vice chairman of the Soviet Union's State Committee of Inventions, informed a meeting here of the International Union for the Protection of Industrial Property of Moscow's intention to ratify the 82-year-old pact.

Officially termed the Paris Convention for the Protection of Industrial Property, the agreement requires that each member state grant the citizens of other member countries in the matter of patents, trademarks and other industrial property rights the same treatment it accords its own nationals.

The Soviet Union will be the 68th country to adhere to the convention. Most of the other Communist countries of Eastern Europe have been members since before they came under Communist rule.

Edward J. Brenner, U.S. Commissioner of Patents, called the Soviet move a "very important action in the field of industrial property rights."

Mr. Brenner, who heads the U.S. delegation to the meeting of the international union, said he believed Moscow's adherence to the convention "could form the basis for increased cooperation between the Soviet Union and the United States in this field."

Moscow's decision could have an important "psychological effect" because it meant that Russia was agreeing to the rules that have long governed the relations between the Western industrial nations in connection with patents and allied matters, a Western source said.

This could lead to increased Western confidence in the industrial property protection to be had in the Soviet Union, the source explained. As a result, it stated, there may be greater readiness in the West to conclude licensing arrangements with the Soviet Union.

Officials stressed the importance of the 1-year priority that the convention gives inventors who file a patent application. It means that the inventors have 1 year to file the same application in other member countries without losing the priority the original date of filing gives them.

SETTLEMENT PREDICTED

Convention officials said they expected a satisfactory settlement of Moscow's demand for recognition of its "inventor's certificate" as being identical for all practical purposes with the Western World's patent.

While patents are also issued in the Soviet Union, more common use is made of the certificate, which recognizes the holder's rights to an invention but reserves to the nation the right to exploit it.

Mr. Artemyev stressed today that international recognition of the certificate was demanded by the principle of "peaceful coexistence."

This principle, he continued, "furnishes the basis for business cooperation between countries with differing social and economic structures."

OPENS SALE OF PATENT RIGHTS

The chief motivation of the Soviet Union in joining in the industrial property protection convention is the opportunity it opens for selling patent rights abroad, according to knowledgeable sources on Soviet affairs here.

For example, it was observed, such Russian inventions as a surgical stapling machine, which substitutes for conventional suturing, could be licensed for production in the United States. Since this country also is a party to the Paris convention, Russian rights and profits on the invention would be protected.

Still another Russian development, which might become available to Western countries, is a petroleum turbodrill, which has been reported to be superior to oil-well drilling equipment in this country.

Russian adherence to the international agreement also was seen as holding potentialities for licensing of patents of many Western products for manufacture in the Soviet Union.

[From the New York Times, Mar. 17, 1965]

U.S.S.R.'s NEW PATENT POLICY

There is wider significance than first meets the eye in the news that the Soviet Union has joined the signatories of the 1883 Paris agreement that facilitates international protection of property rights in patents and trademarks.

The effect of this new policy is to make it less likely that the Soviet Union will continue to pirate foreign inventions without payment to the inventors. Moreover, by joining the Paris Convention, the Soviet authorities have set a precedent that could justify their joining the Universal Copyright Convention. The latter action would help end the frequent Soviet practice of publishing foreign works without permission of, or payment of royalties to, foreign authors.

Soviet policy in the past was partially based on aversion to the idea of private property rights, but partially it resulted from simple calculation. So long as the Soviet Union was not producing much in the way of new technology, it was profitable to pirate the fruits of foreign invention. But today Soviet scientists and technicians are increasingly making independent contributions which they and the Soviet regime would like to be paid for when used abroad. Faced with the reality that pirating has in recent years become a two-way street, the Soviet Government now sees more virtue in international respect for patent rights than it ever did before.

ELIMINATION OF SOFT JOBS AND SINECURES

Mr. YOUNG of Ohio. Mr. President, I wish to suggest to the President of the United States a way to save $5 million annually. To me, $5 million is a large sum of money.

The gate to the Public Treasury is wide, "and broad is the way. Far too many there be which go in thereat." As Senators of the United States, it is our duty to guard this gate and to protect it to the utmost against unreasonable and unwarranted entry. Wherever and whenever possible our President and we in the Congress are trying to effect economy in Government without curtailing vital programs both foreign and domestic. The President has on numerous occasions indicated his fervent desire that the taxpayers of this Nation receive a dollar's value for every dollar spent.

It is a fact that hundreds of millions of dollars and at times billions of dollars can be saved through economy measures. This is especially true in the appropriations for the Department of Defense. Economy in Government, like economy with an individual, means doing without things we would like to have but do not absolutely need. However, we should not overlook the fact that throughout all the agencies of the Federal bureaucracy there are many places where lesser sums of taxpayers' money can be saved. The result can be a very sizable decrease in Federal spending. In this manner many Senators and Members of the House of Representatives through diligent examination of the budget have been able to bring about great savings.

In reviewing the proposed budget for the Treasury Department for fiscal 1966, I note that almost $5 million is requested for the Savings Bond Division. Upon making research, I discovered this Division employs 539 people, 95 of whom are in Washington, D.C., and the rest in regional and State offices throughout the Nation.

For instance, in the State of Ohio, there are 21 employees distributed among five cities. There is a State director being paid more than $16,000 a year with five assistants each being paid more than $12,000 a year, and six others receiving more than $9,000 a year. Their duty ostensibly is to administer, supervise, and

perform work in promoting and maintaining the sale of U.S. savings bonds. I seriously question the need for this expenditure of taxpayers' money. In fact, I am convinced that it could be eliminated without in any way impairing our savings bond sales program.

This is not to say that a certain amount of public relations work is not necessary to encourage the sale of U.S. savings bonds. This has been done and I am sure will continue to be done through the proper use of public service programing on radio and television. Reports I have received from officials of the Treasury Department fail to convince me that it is necessary to maintain more than 500 additional Federal employees to help sell these bonds.

Frankly, these jobs are virtual sinecures. I am aware of the fact that there is a mass of statistics denoting the goals assigned to each bond sale promotion representative and the amounts of those goals that were subscribed, the percentages, and all the other paraphernalia of governmental reporting systems. However, there is no indication that these sales would not have occurred without the dubious efforts of high-salaried Federal employees.

Mr. President, a certain amount of promotional sales work must be done to encourage the purchase of savings bonds. I believe that a study by experts is in order to determine whether or not such a study should be handled by political appointees with virtually no experience in the public relations field. It might well be that this function can be handled more efficiently and at much less expense to taxpayers through other methods. For instance, private public relations firms could be contracted to do the job. Or, a relatively few expert public relations men with experience and background in this area could be employed by the Government for this purpose at much less expense to the taxpayers of the Nation. I do not believe, and nothing presented to me has led me to believe, that it is necessary to hire more than 500 Federal employees at taxpayers' expense for this purpose.

It is no secret that many of these high-salaried employees received their jobs through political patronage during the last 4 administrations and that most of them have had virtually no prior experience whatever in the area of sales promotion. Here is a place where we can save taxpayers almost $5 million a year without in any way diminishing a vital public service. It is quite likely that in doing so, the sales of U.S. savings bonds would increase.

Mr. President, when the Treasury Department authorization bill comes before the Senate for debate and vote, I intend to offer amendments to curtail drastically the funds available for the Savings Bond Division.

Mr. President, I see no reason why these officials should travel around my State of Ohio and other States, receive mileage for the use of their automobiles and secure other fringe benefits, and in addition receive high salaries while they address service clubs, savings and loan associations, and banks, urging the purchase of Government bonds.

I am hopeful that officials of the Treasury Department will initiate studies to determine the need for the continuation of the present method of promoting the sales of savings bonds. In any event, I shall do my utmost to prevent the further waste of taxpayers' money on this outmoded and archaic section of the Federal bureaucracy.

DIVESTITURE OF GENERAL MOTORS CORP. STOCK BY DU PONT AND CHRISTIANA

Mr. MORTON. Mr. President, the Committee on Finance held hearings this morning on the question of the divestiture of General Motors Corp. stock by Du Pont and Christiana. The hearing will command substantial interest and attention.

I have had prepared a statement in the nature of a background concerning this subject. I ask unanimous consent that the statement and a letter to Du Pont from Assistant Attorney General William H. Orrick, Jr., head of the Antitrust Division, Department of Justice, be printed at this point in the RECORD.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORTON: CHRISTIANA'S DIVESTITURE OF GENERAL MOTORS STOCK

On May 22, 1961, the Supreme Court of the United States held that the Du Pont Co. should divest itself of 63 million shares of General Motors stock it then owned and which had been purchased by Du Pont after World War I.

There was no finding, by the Court, of monopoly, intent to monopolize, restraint of trade, or conspiracy. In a new interpretation of the Clayton Act, the Court found that Du Pont's ownership created a "reasonable probability" that Du Pont, at some future time, might monopolize certain purchases by General Motors. In so finding, however, the Court stated explicitly that "all concerned in high executive posts in both companies acted honorably and fairly, each in the honest conviction that his actions were in the best interests of his own company and without any design to overreach anyone, including Du Pont's competitors."

The economic dislocation and the severe penalties that would result to stockholders, as a result of this decision, were such that the Congress passed a bill providing, in effect, that the distribution of General Motors stock to individuals owning Du Pont stock would be treated for tax purposes as a return of capital rather than a distribution of income.

This bill, in addition to applying to Du Pont, also applied to the Christiana Securities Co. which owns 29 percent of the common stock of Du Pont, and would, therefore, receive 29 percent of the General Motors stock distributed by Du Pont. On February 2, 1962, President Kennedy signed the bill and it became Public Law 87–403.

Thereafter, on March 1, 1962, the U.S. district court in Chicago (which had jurisdiction of the antitrust case) entered its final decree and thereby determined the means by which Du Pont and Christiana were to divest themselves of their General Motors stock.

CHRISTIANA SECURITIES CO. AND PUBLIC LAW 87–403

During Congress consideration of Public Law 87–403, the question as to the method of divestiture of Christiana's General Motors stock was not an issue before the Congress. Both the Congress and President Kennedy (who issued a statement when he signed Public Law 87–403) recognized that whether Christiana should divest itself of the General Motors stock received from Du Pont, and the method of any such divestiture, were questions to be solely determined on the basis of antitrust principles by the court in Chicago in its final judgment. The Senate Finance Committee in its report accompanying H.R. 8847 (Rept. 1100, 87th Cong., 1st sess.), said:

"Your committee wishes to make it very clear that it expresses no opinion as to what particular method of divestiture of General Motors stock by Du Pont or Christiana is appropriate. It is contemplated by your committee that all issues dealing with the manner of divestiture are to be determined judicially, solely with reference to the antitrust principles announced by the Supreme Court in the Du Pont case."

President Kennedy in signing the legislation on February 2, 1962, reaffirmed this view:

"This legislation clearly does not attempt to express a judgment upon the question that is now before the court. The Senate Finance Committee report pointed out that all issues dealing with the manner of divestiture should be determined judicially, solely with reference to antitrust principles, and without regard to the provisions of the bill before it. The debate discloses a unanimity of intent on this point. Both the proponents and the opponents of the bill agreed that the antitrust questions, particularly the question of whether the pass-through of stock to Christiana stockholders should be permitted, should not be affected in any way by the legislation."

THE COURT DECREE

Following enactment of Public Law 87–403, and before the district court entered its final order, the Justice Department urged the court to permit Christiana to make exchange offers to its shareholders. In addition, so as to preclude large blocks of General Motors stock remaining in the hands of the Du Pont family, members of the family and related trusts holding 50 percent of Christiana's shares, voluntarily submitted themselves to the jurisdiction of the court and promised to divest themselves of any General Motors shares received pursuant to Christiana's divestiture. On March 1, 1962, the court entered its final decree.

After noting that exchanges would reduce the amount of General Motors stock in the hands of the Du Pont family, the judge in his accompanying opinion said: "The judgment will, therefore, permit such exchanges."

Article XII of the final judgment provides:

"1. Christiana may sell such number of shares of General Motors stock as, in the judgment of its board of directors, is necessary to provide net proceeds sufficient to pay the taxes imposed upon the receipt by it of General Motors stock from Du Pont and any expenses and taxes incurred upon the sale of the shares to be sold.

"2. Christiana shall distribute to its shareholders (including non pro rata distributions in redemption of its own stock) the remaining shares of General Motors stock required to be divested by it."

It is unequivocally clear that Congress left to the court the issue of determining the method by which Christiana should divest itself of its General Motors shares and it is equally clear that the court decree itself specifically authorized Christiana to make exchanges offers to its shareholders.

INTERNAL REVENUE SERVICE'S 1962 RULINGS

After Public Law 87–403 was enacted and after the March 1962 court order was entered, Christiana applied to the Internal Revenue Service for rulings to the effect that the benfits of Public Law 87–403 would apply to its shareholders. The Service commenced a series of conferences with the lawyers for the taxpayer, during which Christiana's right to make exchange offers was thoroughly discussed.

The Internal Revenue Service took the position that Du Pont and Christiana were under a "moral obligation" to pursue divestiture procedures which would produce gross Federal revenues of between $350 and $470 million. According to Internal Revenue Service, unless Christiana were prevented in its initial divestiture program from merging into Du Pont so as to avoid the special intercorporate tax imposed under Public Law 87–403 and unless Christiana were also prevented from making tax-free exchange offers to its shareholders, Internal Revenue Service had no assurance that total revenues accruing to the Federal Government from the Du Pont-Christiana divestiture would amount to the $350 to $470 million which Congress allegedly "anticipated" in enacting this legislation.

In October, 1962, Internal Revenue Service issued conditional rulings to Christiana: Christiana stockholders were entitled to the benefits of Public Law 87–403, but the rulings to this effect would apply only (a) if Christiana did not exchange any General Motors stock, and (b) if Christiana did not merge into Du Pont before it completed its divestiture of General Motors stock.

Christiana objected to the imposition of the exchange condition and declared that it would want to apply at a later time for elimination of the Internal Revenue Service conditions to the rulings. Internal Revenue Service and Christiana agreed in 1962 that Christiana had the right to return to Internal Revenue Service and request such reconsideration and the 1962 ruling letter so noted.

INTERNAL REVENUE SERVICE'S 1964 RULING LETTER

In August, 1964, after Du Pont had divested itself of almost 40 million General Motors shares by two pro rata distributions, and after Christiana had divested itself of almost 10 million General Motors shares by sales and pro rata distributions, Christiana filed with the Internal Revenue Service a request that the 1962 rulings would apply without reference to the condition against exchanges. This request was based on the fact that as a result of the divestiture by both Du Pont and Christiana, together with the contemplated final distribution by Du Pont, gross Federal revenues accruing to the Government would be substantially in excess of the $350 to $470 million which Internal Revenue Service had contended in 1962 Du Pont and Christiana had a "moral obligation" to produce. Christiana, in making its request for elimination of the condition of the 1962 rulings, also agreed not to merge with Du Pont and offered to peg its exchange offer to the January 4 market price of General Motors stock so as to guarantee that the Federal Government would gross no less than $470 million in revenue. On the basis of the market values of General Motors on the dates of Du Pont's and Christiana's final distribution ($96 per share on January 4, 1965, $99 per share on March 8, 1965), gross revenues realized from Christiana's and Du Pont's divestitures will be approximately $611 million.

In considering whether the amended ruling request should be granted, Internal Revenue Service followed its traditional procedure of holding a series of conferences with lawyers for the taxpayer just as it had done in connection with the 1962 ruling. Following these conferences and after a careful consideration of all the facts, Acting Commissioner Harding issued a letter which withdrew the exchange condition imposed by Internal Revenue Service's 1962 rulings.

In January, 1965, Christiana made an offer to its shareholders to exchange up to 8.4 million General Motors shares on the basis of 3¼ General Motors shares for each Christiana share. As a result of this offer, which expired on February 8, 4,487,000 General Motors shares were exchanged for over 1,380,000 Christiana shares. On March 8 Christiana made a final pro rata distribution of the balance of the General Motors stock in the amount of one-third share of General Motors for each share of Christiana. Except for 457,000 shares which Christiana will sell on March 23 to pay taxes, this final distribution will complete Christiana's (and Du Pont's) divestiture of its General Motors shares. As indicated above, the completed divestiture by Christiana and Du Pont will gross an estimated $611 million in Federal revenue, not counting any additional revenues which will accrue when the Du Pont family members sell their General Motors stock as required by the Court decree.

SUMMARY

The statute, the congressional, judicial, and administrative records clearly demonstrate that:

1. The 1964 ruling letter, which deleted the exchange condition without affecting the applicability of Public Law 87–403, was not only consistent with the law and the Court decree, but the only position which the Service could adopt as a matter of law.

2. Despite the clear provision of the statute, Internal Revenue Service conditioned its 1962 rulings upon an alleged moral obligation and withdrew the conditions after it became satisfied that the final divestiture by Christiana and Du Pont would produce estimated gross revenues of no less than $470 million.

U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., January 18, 1965.

Re *United States* v. *E. I. du Pont de Nemours & Company et al.*

F. J. ZUGEHOER, Esq.,
General Counsel, E. I. du Pont de Nemours & Co., Wilmington, Del.

DEAR MR. ZUGEHOER: Ordinarily it is the practice of this Department to simply acknowledge receipt of reports filed pursuant to antitrust judgments. Your letter of January 11 which reports the completion of the divestiture of 63 million shares of General Motors stock by E. I. du Pont de Nemours & Co. warrants something more.

Du Pont is to be congratulated on the orderly and prompt manner in which it has complied with the Court's direction to divest this stock. While I recognize there are those who will not agree, I firmly believe the completion of this portion of the divestiture ordered by the Court is an important step toward insuring continuing vigorous competition and health in our free enterprise system.

Sincerely yours,

WILLIAM H. ORRICK, Jr.,
Assistant Attorney General,
Antitrust Division.

Mr. MORTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ED SYERS DESCRIBES GUADALUPE MOUNTAINS PARK PROPOSAL IN FORT WORTH STAR-TELEGRAM

Mr. YARBOROUGH. Mr. President, Congress is now considering legislation to establish the Guadalupe Mountains National Park in west Texas. I have the honor to be the Senate sponsor of the bill authorizing this fine addition to the National Park System.

In his recent message on national parks, the President called for the addition of the Guadalupe Mountains National Park in our national parks system. This area is a mountainous area 35 miles southwest of Carlsbad Caverns, between Carlsbad Caverns and the Big Bend National Park. The country around this area is misleading in appearance. It seems to be semiarid, almost desert. The mountains look barren. There are high bluffs. To the casual visitor this is a barren area, but when he takes the road up the canyons and to the top, there are springs, running water, elk, deer, and many other kinds of wildlife.

It is a beautiful area which has tall timber and birdlife. It is an area of great beauty and historic value. Some of its points of interest have been told in an interesting article entitled "Off Beaten Trail—Guadalupes Cast Spell," published in the Fort Worth Star-Telegram of January 17, 1965.

Mr. President, I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Fort Worth (Tex.) Star-Telegram, Jan. 17, 1965]

OFF BEATEN TRAIL: GUADALUPES CAST SPELL

(By Ed Syers)

"Just old mountains." The tourist lady craned from her car window. "What national park? What's so special up there?"

She had glimpsed the east battlements of Guadalupe Peak and El Capitan. Then—bound from Carlsbad—she was gone, down U.S. 62's steep-curling pass, to drum the desert's salt flats far below, toward El Paso.

Like most of us, she'd scanned only the stern outer walls of what likely will be Guadalupe Mountains National Park—our second in America's then 32.

"What's special?" seems fairly asked below; for until the park, you cannot see the vast within: A sea of mountains—our highest, and a dozen loftier than Big Bend's. From Apache to today's big ranches, this wilderness is private and wildly unchanged.

Those high crags' green tufts are forests, spilled to chasm-slashed labyrinths, beginning with spectacular McKittrick Canyon, north of El Capitan. As early as 1938, national parks compared them with any American wilderness vista.

You see only rim. These Guadalupes—home of Geronimo's Apache—hide their secrets.

Like a swallowed U.S. cavalry patrol. And a legendary fortune in gold.

And so the Guadalupes remain forbidden until Congress links over 110 square miles of range to Carlsbad, north toward the Rockies. But you needn't pass unseeing.

Stop with the Bob Wests, just under the State line at Nickel Spring. He's a strong-faced former lawman; she's known mountains since a redheaded kid, riding the Tetons muleback. You'll meet oldtimers who pretend to scoff at old Guadalupe legend.

They can describe the hidden park—from north of Texas' highest peaks, up sheer gorges, over tall slopes standing ponderosa pine and Douglas-fir, down mountain meadows, to sudden precipice. They know McKittrick's bouldered bottom tumbles a stream with rainbow trout; and high are elk and bighorn. Ultimately, hikers or packriders should ridge-trail it 70 miles to the caverns' entrance.

Off that trail, where drop canyons well-named Dark, Blue, Devil's Den and the rest—pocking hundreds of caves—the Guadalupes best hide their secrets. On Apache Reservation, north, the old ones know. You will have to imagine and guess.

First, visualize your range—a tortured thrust southeast across New Mexico, ending in sheer wall, just within Texas. Now * * * gold-rush California in the 1849's.

From St. Louis, the San Francisco-bound emigrant trains slope southwest—Memphis, Little Rock * * * into Texas above today's Sherman, and on—fort, spring, and river-crossing—past Abilene, San Angelo * * * Pecos * * * and a loop north under El Capitan's far-distant trailmark * * * to El Paso's midway. A few years, this will be Butterfield Overland Trail—six passengers to a wild-muled, sand-choked stagecoach for 25 days.

Here, and from Davis Mountains south, is the Apache's deadliest point of ambush.

In the early 1850's, one train is massacred, below the pass. U.S. cavalry, barely saddled to mountain, trails the Apache into his Guadalupes. Deep into pinnacle and precipice—doubling and back—they pursue. Now, turn back. Into legend?

Their Captain Bartlett finds no trail from the blue heights. By compass afoot, perhaps: The cliffs drop sheer. Leave their horses? Apaches will ride them ahead to ambush. They save ammunition, drive their mounts, screaming, over; stagger out afoot.

Into legend? A hardnosed cavalry, later to ride any trail a mustang will go, chooses to forget it; and it is old story, lost in the Guadalupe wilds.

Yet in the summer of 1930, three El Pasoans, exploring remotely, turn up bones at a cliff base, bring back Army bits, bridles, and saddle leather stamped "U.S." Ask an oldtimer if the Guadalupes swallowed this patrol. He'll shrug; it's a big country.

Some say the El Pasoans hunted an even deeper secret of these mountains—the Lost Sublett Mine—the geologically impossible cache over the rim where you stand.

Butterfield's Concord stages are just memory, these earliest 1880's, when the Texas and Pacific drives to Southern Pacific junction at Sierra Blanca, to the south.

T-P-ganging is an old-time prospector, William Caldwell Sublett. He shacks his family in tiny, desert Monahans; and is over the sands to Van Horn this year of 1881. They know him loco, those railhands; they know, too, the magic of his water-witch.

He finds.

Then let him hunt gold. Pass to Apache's Guadalupes is 55 miles north.

They call Bill Sublett, "Old Ben," try to josh his week's-long disappearances. Yet now, in the Odessa saloon that calls him crazy, he turns up for drinks all around. He spreads a fist of gold nuggets, pebble-sized. They quit laughing. Where, Bill?

They souse him, try to worm it from him, threaten him. His old eyes haze; an Apache friend showed him. They trail him, circling for the Guadalupes, run always into his rifle. Will he share his secret for, say * * * $1,000? The old man snorts.

He can take that much from his mine in a week.

He takes an Odessa friend once, then celebrates their strike so much, the other man forgets the trail. In 1887, he takes his son, Rolth (Ross, some say). The boy remembers a wild trail near El Capitan, endlessly beyond, a chasm—knotted rope down.

He remembers his father, out with the nuggets. So does Odessa.

At deathbed in 1892, will he tell his son? The old eyes fade with strain.

"You'll have to find it like I did, son."

And Rolth Sublett tries, from Carlsbad country, almost to his death a decade ago. There was a quick gorge: A hundred feet wide, maybe as deep; a tree—gone now.

"Hundred canyons like that." Bob West looked toward the east rim of the Guadalupes, where national park may lie beyond. "A hundred more, you can't find."

Bob knows geology, says gold's not up there. Yet old Santa Fe archives showed Spanish mining in the 1600's. Geronimo boasted here was America's richest lode. And gold—from Japanese coal to seawater—is where you find it.

So what do you do? You shrug it off. Maybe there never was a mine—but a cache. Maybe California gold on the way back * * * ambushed, hidden, forgotten. Did he believe it's still up there? Bob just gave a slow smile.

One thing he does believe. That hurrying tourist lady didn't know what she saw.

I believe that, too; and so will you, when they open the park in a few years.

Meantime, I'll be up the Guadalupes by spring.

I'll let you know if it's gold * * * or view.

Mr. YARBOROUGH. The area has historical importance. In the early days, the stage coaches traveled this route before there were railroads to the West. The route was followed by the 49'ers on their way to the California gold fields. The area is important now not only for purposes of recreation and beauty, but also for its historical importance.

DISCRIMINATION AGAINST THE COLD WAR VETERAN OUTLINED IN ARTICLE "THE PHONY LOTTERY" IN THE NEW LEADER

Mr. YARBOROUGH. Mr. President, much has been said in Congress and still more has been written in the press about the gross inequities in political and social opportunity afforded many American citizens today. Nowhere is there a more unjust, unreasonable, and harmful discrimination among Americans than in the failure of the U.S. Government to provide for the modern-day cold war veteran.

The modern-day cold war veteran is the one person in our society against whom the Government itself discriminates. The original GI bill of rights for the World War II veterans and GI bill for the veterans of the Korean war conflict recognized the obligation owed by the American people to the veterans of the Armed Forces during these crucial periods. At this very moment, in areas of hardship and deprivation throughout the globe, thousands of servicemen are placing their futures and their lives on the line to protect this citadel of democracy, yet they leave the Armed Forces to face the competitive and rapidly progressing civilian community unaided in the quest for needed technical, vocational, or professional knowledge. The valiant men and women of World War II received help. The brave men of Korea got benefits. Why should the heroes of the ruthless cold war be discriminated against?

Mr. President, I say that not only is such discrimination unfair, unjust, and inequitable, but it is even worse. It acts to rob the American economy and the American culture of the best available resource of intellectual strength and vigor. An article written by Mr. Burton Hersh and appearing in the March 1, 1965, issue of the New Leader magazine sets out with unusual clarity and effectiveness the plight of the hero of our times—the cold war veteran. I request unanimous consent that this article entitled "The Phony Lottery" be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE "PHONY LOTTERY"

(By Burton Hersh)

Six years ago, speaking with characteristic heat in a Senate committee hearing on the proposed "cold war GI bill," Senator WAYNE MORSE, Democrat, of Oregon, deplored the "sad but true fact that in the handling of the military manpower program of this country at the present time we are not too far removed from the escapism that existed at the time of the Civil War as far as military service is concerned." MORSE's remark was undeniable even then. It also was discomforting. But it was only after President Johnson took office that the Federal Government began to face up to the worsening draft situation.

Last June 22, the Pentagon announced the instigation of the most thoroughgoing manpower study—a million dollars worth—since World War II. The results of this study are due next month. The current draft law expires in 1967; by then, the administration is expected to present to Congress a legislative program designed to redress the abuses of a Selective Service System that its own Director, Lt. Gen. Lewis B. Hershey, regards as having degenerated into a "phony lottery."

What, in the 20 cold war years, happened to the brave old notion of a universal military obligation? It was, in a word, swamped—by economics, events, and the coming of age of too many people at once. Each President—first Eisenhower, then Kennedy, then Johnson—was compelled to bail steadily. And as the draft quotas decreased, the number of exemption categories increased. Meanwhile, by Executive order, benefit after benefit was taken from the returning serviceman (now reclassified "peacetime inductee") until virtually none remains except the Defense Department's assurance that "the military obligation is the normal way of life for young men today and requires no special reward."

By early 1963, however, an imperative concern was beginning to agitate those Senators who were digging among the roots of draft policies: Not only was the country being deprived of a whole generation of better trained men at a time when no skill meant no job, but a combination of accident, legislative action, and above all, executive fiat had created a situation that made it possible, even expected, that young men who came from families with money and influence would evade extended military service. As Fred Blackwell, a former counsel to the Senate Subcommittee on Veterans' Affairs, remarked: "For the most part the military obligation has, in fact, superimposed itself on lower income families."

Since the end of the Korean war, our draft policies have suffered two profound, if generally unnoticed, modifications. The first is the very existence of the draft in peacetime. It has been traditional in the United States that men are not compelled to serve in the Armed Forces except when the country is immediately threatened by attack. The second innovation came directly out of the services' need for more men than they believe could be procured by normal recruiting, but for fewer than would naturally become available as each generation reaches draftable age.

As one Department of Defense spokesman put it: Though the obligation is universal, the actual service is not; it is now very selective indeed. Statisticians of the Library of Congress estimate that this year fully 60 percent of the 26-year-olds (the Eisenhower administration established 26 as the effective cutoff year for the local draft boards) will have avoided the draft permanently: 13 percent by means of one of the 6-month active duty programs, 47 percent by falling into one of the fast-multiplying categories in which deferment is tantamount to exemption. Thus, in realty, only a minority serves.

The draft avoiders in general make up an unlikely crowd. The very existence of mental and physical standards has always kept the truly hopeless out of the services, and since 1958, when Congress raised the entrance requirements, many a genial mouth-breather has found himself passed over. Married men escape. Fathers escape. Public officials, conscientious objectors, "vital workers in agriculture or industry," professional athletes with shin splints—all are deferred. A key employee in almost any kind of undertaking—that is, usually, a junior executive with access to the boss—can generally come by an excuse for his draft board. A Fund for the Republic report reveals that there are as many as 60 different ways for a young man to fulfill his military obligation without actually serving the usual time; it would appear that very few have not been used.

Then there are the students. Simply being in a college or university—but not in a trade school—and remaining in good standing guarantees a deferment. Since college still involves, in most cases, family money, the discriminatory factor is patent. In addition, most jobs insuring deferment are open to the college man alone. These categories were determined largely by Executive order during the Eisenhower years, and their boundaries seem to have suffered progressive erosion ever since. One has to struggle against the suspicion that many of these Executive orders on deferment categories were drawn up with the express interests of the upper middle classes in mind.

A look at the makeup of that minority group whose members do serve is even more suggestive. Of the perhaps 600,000 young men, who enter the service every year, the great majority, around half a million, do not wait to get drafted; they are driven in. They are the R.A. (Regular Army) kids, of whom every draftee of the last decade has seen plenty. Most are between 17 and 19 years old. About half of them have finished high school. They are almost all from what sociologists call "disadvantaged" backgrounds—poor, with little hope of higher education, and often at a rambunctious stage. A disproportionate number are nonwhite.

Most of these boys serve either 3 or 4 years—these being the available enlistment periods. In the words of the famous report Ralph J. Cordiner prepared for President Eisenhower in 1957, many are soon "antagonistic and bitter * * * checking off the days until they get out." About 75 percent do quit at the end of their enlisted hitches.

A large number of the remaining inductees, the 100,000 or so who are actually drafted, are of a different background. Most were just beginning to settle into their trades or professions when the call came. Fully a third have completed college (the equivalent figure during World War II ran around 3 percent), and over 40 percent have had some higher education. These men generally spend their 2-year hitches under the enthusiastic tutelage of career sergeants whose educational levels have never been tabulated.

With the draftees' schooling thrown in, the percentage of college-graduated enlisted men in all the services runs to 1.5. It takes only a few weeks of policing cigarette butts to start the ex-college boy wondering why he, too—like the great majority of his educated contemporaries—did not study at least one of those 60 possible deferment mechanisms. Few in this group make a career of the service.

Any hopes a boy might have that his service time will not prevent him from catching up with his generation are almost certain to be blasted. Released from active service, he is usually farther behind than before. A Department of Labor "Workers' Fact Book" concludes: "It is generally recognized that a period of military service places a worker at a disadvantage in the labor market due to one or more reasons directly traceable to his service; such as lack of civilian work experience, older-than-normal entrance age for job training, inability to utilize military skills in civilian occupation, or existence of service-connected disability."

Victor Wohlford, a leading expert in the field of educational administration, has also testified: "The existence of a rather plentiful labor supply makes the military obligation a matter of crucial importance. Employers are not willing to invest time and money in training men who might be taken away at any time by the draft law." The new veteran has few of the traditional benefits—mustering-out pay, veterans' loans, insurance—to tide him over, and takes whatever job he can get, usually in an unskilled capacity where the risk of layoff is high.

All this is more than speculation. Studies made by the National Association of State Approval Agencies have determined that by the early sixties unemployment among the 4.5 million cold war veterans ran at close to 15 percent, more than double the rate for the overall age group. This is the first time in our modern history that such a thing has happened. Veterans heretofore have outstripped nonveterans both as earners and as taxpayers.

The new veteran's Active Reserve obligation—another innovation of the last decade—makes job hunting tougher still: It means several years of weekly meetings, 2 weeks each summer in a training camp, and a place at the head of the line in case of trouble. Most of the reservists called up in 1961 for a year on active duty had at least 2 years already behind them. The logic apparently was that they had the critical skills the 6-monthers lacked.

Obviously, the disadvantages at which our cold war veterans find themselves are unintended consequences of our jerry-built system of exemption and selection—a system that just grew, and then collided with the economic realities of the moment. Simultaneously, the draft requirement itself has been adrift on the changing strategic plans of the old and new administrations, and so the abuses of the system have been compounded.

The Eisenhower administration, spurred by the findings of the Bradley and Cordiner reports, came to regard the 2-year inductee as disgruntled, scarcely trained, and therefore all but useless. The continued existence of the 2-year draft was insisted upon as a necessary goad to force young men into their initial—and, hopefully, more extended—enlistments. But the effect of the draft on the lives of the more promising was to be reduced insofar as possible; hence the Executive order loopholes.

War, in the Eisenhower administration's opinion, meant either a small local action (professional soldiers) or an exchange of nuclear haymakers (professional technicians). On this assumption, Congress agreed to the extensive 6-month programs, which would theoretically skim the quarter of a million superior draft-eligible young men off the top every year.

The services themselves, though, were reluctant to authorize so many short-term reservists: Only about 20 percent of the number of 6-monthers that Congress suggested were actually formed into Reserve units. The tendency was for local influence to determine, as in the National Guard, just who got into these few, highly desirable groups. The distinctions of background were thus deepened.

At the same time, added service fringe benefits—higher pay, proficiency pay, the new "specialist" ratings—were introduced in the effort to hold military careerists. Accordingly, anything which might conceivably tempt able people out of the services, and especially the reintroduced GI bill, met fierce Defense Department opposition.

Although the Eisenhower administration had discontinued application of traditional veterans' benefits to post-Korean returnees, it did persuade Congress to allow them to draw unemployment compensation. The Army was now just a job, albeit a compulsory one. Over the Eisenhower years, the actual number of drafted inductees per year fell from 265,039 in fiscal 1954 to 60,293 in fiscal 1961. In effect, Eisenhower was phasing out the draft Army.

Presidents Kennedy and Johnson and Secretary of Defense McNamara, however, had strategic ideas of a quite different sort. "Options," McNamara's central concept, meant a large Army, capable of fighting all grades of wars. The draft got serious immediately: 157,654 men were drafted in fiscal 1962. And up from there. The implicit excuse of the previous administration for the evident inequities—that they affected only a very few people, and for only a few years—was now gone, but the deferment policies (as well as the opposition of the Defense Department and the Bureau of the Budget to reintroducing the traditional benefits) are still very much with us. The lives of more, rather than fewer, young people are being permanently convulsed.

This has imparted a new urgency to the proposal of Senator RALPH YARBOROUGH, Democrat, of Texas, head of the Veterans' Affairs Subcommittee. His bill would extend to post-Korea servicemen the main provisions of its Korean war predecessor, although the educational payments, being exactly equal, would now buy less schooling. The Bureau of the Budget and the Department of Defense continue to oppose the measure.

YARBOROUGH is apprehensive: The implications of a further hardening of our general social structure as a result of unconsidered draft policies clearly frighten him. "Who goes to college in this country depends much more on how much money he's got than how much brains he's got," YARBOROUGH charges. "The GI bills changed that to some extent, for a while, and just think of all the good it did. All the trained people it gave us, all the tax money it has already generated by radically increasing people's earning power. For 99 percent of the people in the country a quantum of education equals a quantum of success in life.

"The GI bill," YARBOROUGH adds, "is the only aid-to-education measure that goes directly to the individual, gets away from the issues of race and religion that bog down so much legislation around here. You've got a social unbalance in the United States anyway, and the draft just accentuates it. In effect, the Government is creating an adversity of fate for its most underprivileged minority, those loyal citizens who don't duck

their service. We talk a lot about the cold war and the rest of it. But right now there is only one American who is in it, living it. And he's our 'peacetime' serviceman."

SCHIEBEL ARTICLES BRING ECONOMY IN GOVERNMENT

Mr. PROXMIRE. Mr. President, economy in this $100 billion Federal Government of ours was never more important. Occasionally the press makes a magnificient contribution to Federal economy.

In 1964, the Las Vegas Review-Journal carried several articles by Kenneth Schiebel which represent just such a contribution. Mr. Schiebel is a correspondent not only for the Las Vegas Review-Journal, but also for the Madison (Wis.) State Journal. He is a man whose work I have grown to know and respect for its honesty and technical excellence. He is a reporter with many years of experience in Washington. To my knowledge—and I have seen and read a number of his stories—he has always done a remarkably competent job of reporting the facts objectively and fairly.

Mr. Schiebel's Las Vegas Review-Journal article on Air Force planes brought a sharp warning to the Pentagon in advance of the 1964 political campaigning, to make doubly sure that junkets were not condoned for political purposes.

The Las Vegas Review-Journal and its correspondent showed commendable alertness and interest in this matter.

I call this matter to the attention of the Senate. It is most useful when the press of the country can make a specific, concrete contribution to the economy. Mr. Schiebel has done just this.

TRIBUTE TO ARTHUR K. WATSON, OF THE INTERNATIONAL BUSINESS MACHINES CORP.

Mr. PROXMIRE. Mr. President, one of the most respected and successful executives in the business world is Mr. Arthur K. Watson, chairman of the board of the International Business Machines' World Trade Corp.

Mr. Watson has not only been successful in this country, but he has also had great experience in the foreign sales of his products in the world market. He understands our balance-of-payments situation from a very pragmatic viewpoint. He is not only a businessman, but he is also a citizen who has eloquently and wisely expressed his concern over governmental problems.

On March 1, 1965, Mr. Watson addressed the Economic Club of Detroit. In the course of that address, he made a very interesting analysis of our balance-of-payments problem. He made some specific suggestions, including an effort to call the attention of Detroit businessmen to that long-range part of our balance-of-payments dilemma which unfortunately has been given very little attention, even by economists. That concerns the development of adequate international liquidity when the dollar deficit that has been financing international trade is eliminated by our correction of our balance-of-payments problem. No matter how we fare in improving our balance-of-payments situation, it is clear that with a finite amount of gold, or, at least an amount of gold that is increasing at a very slow rate, with a rapid increase in world trade, which has doubled in the last 10 or 12 years, and with the growth of our economy and economies all over the world we shall need far more international liquidity in the future than we have had in the past.

If we succeed in correcting our balance-of-payments deficit, it will mean that there is going to be a very serious deflationary effect on world trade and on the economies of countries overseas and here in America with depressions and heavy unemployment, unless at the same time we somehow find a way to develop a more effective international liquidity system.

Mr. Watson has made some helpful practical suggestions in that connection, and I ask unanimous consent that his remarks before the Economic Club of Detroit be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE ECONOMIC CLUB OF DETROIT, REMARKS BY A. K. WATSON, SENIOR VICE PRESIDENT, IBM CORP., AND CHAIRMAN OF THE BOARD, IBM WORLD TRADE CORP., MARCH 1, 1965

A cautious man should always start a speech with a joke. That way, if he is not remembered as a pundit, at least he may be remembered as a wit.

The story I want to tell is about the typical American. This typical American, according to the story, is a man who returns from an Italian movie in his German car, sits down to his Danish desk, pours himself a cup of Brazilian coffee into an English cup, picks up his Japanese ball point pen and begins a letter:

Dear Senator, he writes, something must be done about the outflow of American gold.

There are a couple of things I want to point out about that story.

To begin with, some variation on it occurs in nearly every country in the free world.

Usually, it is the Frenchman, or the German, or the Britisher, shaving with a Schick razor, brushing his teeth with Colgate, climbing into his Opel, or Simca, or British Ford, buying a Coke * * * and so it goes.

The other thing is that story is dated. It goes back 5 or more years, back to the days when the Europeans seemed to have the uncanny ability to undersell our consumer products right here in our own markets and underbid us in the rest of the world * * * not to mention the fact that when they sent a salesman to Africa, he always turned out to be fluent in Swahili while our guy couldn't write a coherent memo in English to explain why he lost the business.

What all this illustrates I hope is a kind of international economic pendulum, and its related political pendulum. Those pendulums have swung steadily from one side of the Atlantic to the other over the past 20 years.

Let me go back to the first postwar swing of the pendulum, the old dollar-gap days.

In 1945, Europe was destitute, demoralized, and divided between the free and Communist worlds. The United States, in contrast, was rich, vigorous, united, and surging ahead.

Our answer to help Europe, to save it in fact, was the Marshall plan. In the decade that followed, that plan—and other forms of American assistance—worked wonders throughout the world.

We were successful in reviving Europe. In fact, by the mid-1950's a lot of American businessmen were beginning to wonder if we weren't too successful.

The factories we help rebuild were sometimes better than our own. The laborer of Europe and Japan was willing to work harder and accept less reward for the effort than most Americans. By 1957, talk of dollar gaps had disappeared and American industry began to recognize it had a competitive battle on its hands. What did we do?

Many things. By the late 1950's and early 1960's, American business was redesigning products to suit foreign tastes, it was intensifying export drives and, most of all, it was leapfrogging, trade and tariff barriers by expanding abroad.

We met the competitive challenge and then some. In the past 6 years, merchandise exports increased 55 percent by $9 billion.

The result was and is a huge merchandise trade surplus, $6.5 billion here and an almost equal trade deficit in Europe.

If trade were the only item it would be Europe, not the United States, worrying about the outflow of gold. It isn't Europe we know, because of the other pendulum, the political one. We're honoring huge commitments abroad, military and economic.

In fact, there is I think a very great temptation on the part of most of us to point the finger of blame at them. Business has done its share, we say, now it's up to Government. Let's examine that a little more closely.

Just what are these commitments and how much can we cut from them?

General Bork, in his program notes, mentioned a favorite whipping boy, foreign aid. He used the figure $3.7 billion a year. I think that is a little on the high side but even if it is accurate it should not be tied into the balance-of-payments problem. Only a fraction of aid, they are estimating $467 million this year, is an actual outflow of dollars. The rest is so-called "tied" aid—the money has to be spent in the United States.

Even that, I agree, is a lot of money. Yet, it is my belief that the alternative, cutting aid, would in the long run be far more costly. There is many a government in the free world today whose viability rests on those marginal aid dollars. If they go, an ally, or neutral may go into the other camp. Now how much—to be coldblooded about it—would that cost us? A lot more.

Another popular place to cut the outflow of dollars is our offshore military establishment. Its cost is large, $2.8 billion last year. But just where do you want to cut? Just which ally do you want to ask to do more?

Can we pull out of Vietnam? Berlin? Western Europe? What happens if we do? I don't pretend to know. What I do know is that a lot of midnight oil has been burned in defense departments around the world to try to find an answer to these questions and if anybody has found it, he has been awfully timid about telling the rest of us.

This, I'm afraid, leaves us with only two significant items left on our balance-of-payments ledger—tourism and capital export—direct, portfolio or loans.

It is inconceivable that we would limit an American citizen's right to travel abroad and as for the trinkets they buy when they travel the duty free exemption is already down to $100 and may be dropped to zero.

I doubt if it would have much effect—unless the rigors of getting through U.S. customs totally discouraged tourists.

What I'm afraid all this comes down to—like it or not—is that there are only two significant factors in the whole balance-of-payments mix that we can do very much about—at least in the short run. They are merchandise exports, and capital exports. Washington has turned to us in the business

community because we're the only place it can turn.

For just about the same reason, I think there is only one response we can give—complete support to President Johnson's program. The alternative to voluntary restraint on capital exports, to name one part of the program, is compulsory restraints and I for one don't want it to come to that. But there is a lot more we can do, and let me just mention three steps that can help.

First, and the healthiest possibility of all, is exports. Between 1963 and 1964, U.S. exports shot up 14 percent. I think every one of us in an exporting business should try for at least that much more this year and next year. And I think a lot of medium size and smaller businesses should be encouraged to begin thinking of exports. It is a big world and there is room for everybody. If we could sell nearly $25 billion worth of goods abroad last year, why can't we sell $28 billion this year?

The second step is to begin borrowing overseas. Money costs more in Europe and Japan but in a sense it is worth more—for investments on the average give greater returns. Through the use of foreign capital we can continue building abroad without deepening our payments deficit. Incidentally, the Secretary of the Treasury has praised General Motors for using this type of financing to cover half the costs of its huge, new assembly plant in Antwerp. More American businesses can and will do this kind of financing to relieve pressure on the dollar.

Third, we've got to sell this idea of international ownership—an idea whose principal prophet is Fred Donner. We have to encourage portfolio investment by the Europeans and Japanese in American companies. And we have to encourage direct investments in the United States. We have over $70 billion—at book value—invested overseas. Foreign capital invested here is only a fraction of that.

Now all these ingredients compounded together, offer a promising palliative; they can, if we work at them, stem the outflow.

Yet, I'm not satisfied with them, for I think they tend to conceal a flaw that is going to hound us whether the gold is moving from our side of the aisle, down in lower Manhattan, to Europe's, or back again.

The really regrettable thing about the current crisis is not so much that we're in it, but that we're not talking in terms of how to get permanently out of it.

What the problem illustrates is not the classic case of a nation living beyond its means. The United States is not living beyond its means.

Nor can I really become very enthusiastic about a sharp rise in interest rates to lure short-term capital back to the United States. It simply makes no sense to apply the brakes on an expansion that made us grow in GNP by $40 billion last year to offset a $3 billion balance-of-payments deficit.

The only long-run course I can see is to begin questioning the basic monetary arrangements that put us into this awkward position in the first place.

I won't pretend to be a monetary technician, but it is my understanding that we are essentially operating under international arrangements made two decades ago at Bretton Woods. Maybe we're selling a 1944 model in 1965's market.

At least it is obvious that $40 billion worth of gold, the entire world's supply, is not going to be enough to support the hundreds of billions of dollars worth of currency and credit afloat in the world. In saying this, I'm not advocating a return to gold or an abandonment of it. I'm just suggesting that other things in the world also have value.

Plant and equipment for example. We've got that $70 billion worth of assets overseas—much more if you evaluate it at market value Yet, it counts for nothing in the international reckoning. What would the balance sheets of our businesses look like if we only counted current assets and current liabilities?

Would we be asking the central bankers and the international monetary people too much if we asked them to read the rest of the balance sheet? In fact, is it altogether impossible to create a new kind of dollar currency backed not by gold but by the assets of American business abroad? Gold is wonderful for jewelers and dentists, but do we have to base the whole free world's economy on it?

Finally, I think it is time for expanded and far more imaginative tools in our international financial arrangements. Certainly financial discipline sometimes has to be imposed on nations as well as individuals. But, that is not the basis of our present problem. We're sound financially.

Yet, what we find ourselves doing is perverting social and economic good—in this case the export of capital—to fit into the narrow confines of what may be an obsolete system.

The truth is we can do it for awhile, but let's plan for a time when we don't have to do it.

You know, in our military arrangements, if they are any analogy, we've managed to build through NATO and SEATO a fairly sound and healthy system of international alliances with a reasonably equitable sharing of costs. I believe we can match this in our international financial arrangements. I believe we can construct a system that will give the free world the elbow room it needs to grow without these unending balance-of-payments crises that alternately hound us and Europe.

Last year, when the bankers left the IMF meeting in Tokyo they announced that the system was really all right, it just needed a little expanding here and there.

Well, it wasn't all right, and it needs more than a little expanding. We're businessmen, most of us, not bankers, and I'll be happy to leave the details to them. I won't pretend to judge between, say, the Triffin plan and Jacques Rueff's proposals to return to gold. Just two things are clear to me now:

First, we've got to do everything we can to support President Johnson's program. It may not prove to be a long-range solution, but it is the only short-range one.

Second, we've got to demand a better and broader system of international finance. The system has to be tailored to fit economies, not economies to fit the system.

We've got every right to ask for this, and Detroit, March 1, 1965, is as good a place and time as any to begin. Thank you.

BALANCE OF PAYMENTS—STATEMENT BY ASSISTANT SECRETARY OF STATE

Mr. PROXMIRE. Mr. President, Mr. G. Griffith Johnson, who is Assistant Secretary of State for Economic Affairs, appeared before the Senate Banking and Currency Committee in connection with testimony on the balance-of-payments situation. He had a very interesting paper. Among other things, he pointed out that our adverse balance of payments since 1957 has had the effect of making it easier to reduce restrictions on trade because so many countries have our deficit dollars and are willing and able to spend them. So they are much less concerned than they otherwise would be about their own tariff situation. To the extent that they feel they have the ability to buy in this country and have the dollars, anyway, they are perfectly willing to expand their trade by reducing their tariffs. He emphasized that we should work while we try to correct our adverse balance of payments, to make sure there is adequate international liquidity so that we do not restrict trade in the future. This country is the world's greatest trading country. Millions of American jobs depend on a healthy and expanding international trade.

I ask unanimous consent to have Mr. Johnson's statement before the Subcommittee on International Finance of the Senate Banking and Currency Committee printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF ASSISTANT SECRETARY OF STATE G. GRIFFITH JOHNSON, BEFORE THE SUBCOMMITTEE ON INTERNATIONAL FINANCE, SENATE BANKING AND CURRENCY COMMITTEE, MARCH 16, 1965

I am grateful for the opportunity to appear before this committee to discuss the problems of expanding exports as a contribution to the elimination of our balance-of-payments deficit. The continuation of large deficits in our balance of payments could create major difficulties for the achievement of our economic objectives of sound and steady growth at home and abroad. It is therefore urgent to reduce the deficit sharply and quickly—but without major damage to the international economy. The President's 10-point program meets that need.

In a number of major respects, the international financial situation of the United States currently presents a paradox. In 1964 we had an unprecedented surplus in trade and services—$5.9 billion on commercial account. We had an unprecedented trade surplus—$3.7 billion in commercial trade—more than two and a half times as large as that of West Germany, whose trade surplus was the second largest in the world.

Since 1960 we have improved our commerical surplus by $2.2 billion and reduced the net deficit in Government dollar expenditures abroad by $1.2 billion. This total improvement of $3.4 billion almost matches the $3.9 billion deficit in 1960. Yet in 1964 we still had a deficit of $3 billion.

What happened, as you know, is that over this period there has been a large increase in the outflow of private capital, which increased by over $2¼ billion between 1960 and 1964. Almost $2 billion of the increase came in 1964 alone, when the gross outflow exceeded $6¼ billion. It was therefore quite appropriate that the President's program—while calling for action in all areas of international accounts including exports—focused attention on the capital outflow to the developed countries. This is the area responsible for the persistence of the deficit and where major improvement must be sought at this time.

My main theme here, however, is trade. There is one point I would like to make about the measure of our commercial trade surplus. The figure of $3.7 billion is exclusive of our Government-financed exports—such as sales under Public Law 480 and our aid program. If we were to include these exports of goods and services, our trade surplus would be almost $6.6 billion and our total current account surplus would be $9.4 billion. We do not include them in an analysis of our current trade position because their contribution to our balance of payments will be spread over a very long period. For example, in 1964, we received dollar repayments of some $150 million on previous aid loans and used almost $300 million worth of foreign currencies generated under

these programs to substitute for dollar expenditures.

The performance of our exports recently is reassuring about our world competitive position. In the late fifties and early sixties our exporting industries have had to adjust to the emergence of Western Europe and Japan as major exporters to the world as the process of rehabilitating their domestic economies was virtually complete.

It was in that period that extreme concern was expressed about the loss of U.S. competitive position in the world. Our share of world exports was declining from the abnormally high levels achieved after World War II when we were the major supplier to the world. This decline appears to have bottomed out in 1963, and in 1964 we actually increased our share of world exports substantially.

We have been aided in this recovery by a number of factors: (1) the remarkable stability in our wholesale price level since 1958 while prices for our principal competitors have been rising; (2) our leadership in industrial technology; (3) substantial growth in the economies of Europe, Japan, and Canada; and (4) increased accessibility to major markets abroad as a result of negotiated reductions in tariffs and the elimination of other trade restrictions; (5) our immense increase in world credit.

Part of the past decline in U.S. exports as a percentage of world exports can be attributed to the abnormally rapid growth of trade among the countries of the EEC, and, to a lesser extent, of the EFTA. Because of tariff reductions within these groups, their internal trade has naturally expanded faster than it otherwise would have, and faster than their trade with the entire world. To get a more objective assessment of the U.S. share of world exports, it is appropriate to exclude intra-EEC trade from the calculation. Using this approach, the U.S. share has declined only marginally—from 17.4 percent in 1960 to 17.0 percent in 1964—and was higher in 1964 than in any year since 1960.

While our export position today refutes the pessimists of some years ago, competitiveness is a dynamic factor and the loss of it is always a potential threat. Furthermore, while we believe there is cause for optimism over the longer pull, it must be kept in mind that there is no assurance that the trade surplus will develop favorably in any given year.

There is another aspect of competitiveness that should be noticed. In assessing competitiveness, one generally focuses on what is happening to our share of world exports. But the size of imports obviously plays an equal role in determining the size of the trade surplus. In this connection it is relevant to point out two things:

1. As our share of world exports was declining, our share of world imports was also declining. If we start with 1960, for example, we find that our share of world imports declined somewhat faster than our share of commercial world exports. Since the flow of imports reflects in large part the competitiveness of a country's industries against foreign producers it would appear that internally the competitive position of the United States has improved vis-a-vis foreign suppliers.

2. Between 1960–64 we increased our exports by $4.8 billion. Since our imports also increased by less than $4 billion, our commercial trade surplus increased by $900 million. Based on this 4-year experience, I think we must recognize that further substantial increases in our trade surplus will at best require a substantial period of time.

Another important aspect of our trade surplus is its geographical distribution. One point stands out clearly. Our commercial trade surplus is predominantly with our competitors.

Dividing the world into two groups—Western Europe, Japan, and Canada on the one hand, and the rest of the world on the other—we find that in 1964 we ran a commercial surplus of between $3.9 and $4 billion with the advanced countries and a commercial deficit of between $200 and $300 million with the rest of the world. (We export far more to the rest of the world than we import, but when we deduct the aid-financed exports the result is a small commercial deficit.) More than 75 percent of the commercial surplus comes from Western Europe and the balance from Japan and Canada. Moreover, and this is important, about 40 percent of our trade surplus was with the Common Market. Our increase in exports to the Common Market since 1960 has been almost double the increase in our imports from there—about $1 billion of exports as against something under $500 million of increased imports.

The record clearly shows that we have been able to improve our commercial trade surplus with both Western Europe and the Common Market since 1960 in spite of some decline in our share of world exports.

In this analysis, I have concentrated on the trade surplus. This, however, is only part, although by far the largest part, of our transactions in goods and services with these countries. If we took into account tourism, income from investments, shipping expenditures, and the like, as well as trade, the qualitative picture would probably still be about the same. However, the distribution of our surplus on services would be quite different—returns on direct investment, for example, come mainly from the less advanced countries while our tourist expenditures would be heavily in the advanced countries. To go into this aspect, although a vital one in any overall assessment, would lead me too far afield from my main topic.

What I have tried to indicate is that the trade account has been a main bulwark of our total balance-of-payments picture in recent years and in any long-run solution of our balance-of-payments problem must play a significant role. Our trade performance has, on the whole, been an encouraging demonstration of the fundamental competitiveness of American industry and agriculture.

We think, however, that our trade performance could be even better in a world with fewer impediments to the flow of goods among countries. The committee, I am sure, shares this view and has expressed interest in a more detailed analysis of the barriers which impede our exports. These barriers are both of a tariff and a nontariff nature. Even though I shall treat these two types separately for purposes of discussion, they obviously are part of an inseparable whole since if any country wants to keep out foreign goods, a tariff barrier, a nontariff barrier, or a combination of both, can serve the same end. However, of the two types, it has generally been felt that the nontariff barrier is the greater obstruction to trade. A complete prohibition against imports, for example of the type that the United Kingdom imposes against American coal, cannot be overcome; a tariff, if its level is not excessively high, does permit trade, as witness the flow of American goods to all countries of the world over tariff barriers. The General Agreement on Tariffs and Trade (GATT) recognizes this distinction and is designed to bring about both the elimination of nontariff barriers and the reciprocal lowering of tariff levels.

Following the Second World War, during the period when everyone thought in terms of a dollar shortage, the countries of Western Europe adopted a series of measures to limit their dollar expenditures for nonessential goods and services. Nontariff barriers, and, in particular, quantitative import restrictions, were the major devices used for this purpose. At that point in time, these restrictions did not cut seriously into U.S. exports since European countries were in any event spending all the dollars they earned or were given by us under the Marshall plan. As Europe recovered and European dollar shortages turned into substantial European holdings of dollars, their import restrictions began to become meaningful and the U.S. Government was extremely vigorous in seeking their elimination.

In the industrial field, this objective has been largely achieved. The industrial items of export interest to the United States which still remain subject to overt quantitative restrictions in Western Europe are now only a handful. The Danes restrict the import of washing machines; the Austrians have some 12 industrial items under restriction; Spain's restrictions are considerably more extensive, but even here the situation has considerably improved as compared with that of a few years ago. On the other side of the world, Japan has been undergoing a rapid process of removing quantitative restrictions, but its restrictions still are more extensive than those in Western Europe.

I shall not take your time with excessive detail. However, I would like to call your attention to a compilation the Department of State prepared for the Joint Economic Committee, which appears in annex A of a joint committee print of 1963 on "The U.S. Balance of Payments—Perspectives and Policies," on the quantitative restrictions then maintained by certain foreign countries. In addition, I would like to call your attention to State Department documents released early in 1964 and again in 1965 on the recent progress achieved in eliminating or reducing foreign barriers to U.S. exports.

I have been careful to stress the word "industrial" when talking of the post-World War II progress in reducing quantitative restrictions against our exports in Western Europe and Japan. Agricultural trade, including many processed foodstuffs, still remains encumbered by a myriad of trade restrictions whose complexity almost defies complete analysis. These barriers are also changing in character. For example, as the European Common Market moves to its common agricultural policy it has eliminated quantitative restrictions on many products and then replaced these by a system of variable levies, which in principle provide just as effective—perhaps even more effective—protection for their farm products. The Joint Economic Committee report which I cited will show that the bulk of the restrictions facing our exports in Europe are in the agricultural field.

However, even here, the picture is not all bleak. We have had some success in reducing and eliminating barriers in this field. The documents I cited will show this. In 1964, for example, we obtained some liberalization by Germany, France, the United Kingdom, and Japan, among others, on agricultural products significant to American farmers. The trade figures bear this out. Our commercial agricultural exports in 1962 were $3.5 billion and rose to about $4.6 billion in 1964. In addition, Public Law 480 and other aid-financed exports ran about $1.7 billion in 1964. Even to the countries of the Common Market, 1964 was a good year for agricultural exports; our agricultural exports to these six countries increased from $1.2 billion to $1.4 billion from 1963 to 1964—all of them commercial.

In addition to agriculture, European restrictions against the import of U.S. coal remain onerous. As I indicated earlier, the United Kingdom has a complete import embargo against U.S. coal for all practical purposes; Germany has a limited tariff quota; other countries have comparable devices to restrict their coal imports from us. These restrictions prevent the export of a substantial volume of U.S. coal. Since the United

States is an efficient producer of coal, we are particularly concerned about these restrictions and will continue to press vigorously for their reduction and removal.

There are types of nontariff barriers other than quantitative restrictions. For example, we are concerned about road taxes in Western Europe which we believe hit unfairly against American cars as compared with European cars. These taxes may have helped induce automobile investment in Europe by our producers to manufacture European-type cars there. In this case, the nontariff tax barrier is augmented by relatively high tariffs, and the combination probably has been significant.

I have spoken at some length about European nontariff barriers. In order to bring this into balance, I should note that the United States also has its nontariff barriers. The Europeans, for example, complain of our import restrictions in agriculture, particularly for dairy products. They are particularly upset about our American selling price rule for levying import duties on various products, mainly chemicals. Other policies complained about on both sides are "buy-domestic" practices and antidumping procedures. I mention these to indicate that the discussion of nontariff barriers has nearly all countries as both the accusers and the accused.

I would like to say a few words about tariffs. We have made remarkable progress in reducing tariffs among developed countries since the reciprocal trade agreements program was instituted in the early 1930's, and particularly through the negotiations held under the GATT since shortly after World War II. We are now engaged in what could be the most ambitious trade negotiating exercise ever, in the Kennedy round, under the authority provided in the Trade Expansion Act of 1962.

In terms of American investment abroad, as well as trade, the Kennedy round can be of great significance. Since the formation of the European Common Market and the European Free Trade Association (EFTA) tariffs among the member countries have been reduced by 70 percent. In a few years, member countries of these groupings will pay no tariffs at all on their exports to each other. By contrast, our exporters will face tariffs, the so-called common external tariff in the case of the Common Market and the individual country tariffs in the case of EFTA. In short, in contrast to their member country competitors, our exporters will face serious tariff barriers.

Much of the investment moving from the United States to Europe has been motivated by the desire to get inside these barriers. I think it is fair to say that the higher the level of tariffs of the EEC and the EFTA, the more reason our producers will have to operate inside the tariff barriers in order to avoid having to overcome them. We therefore believe that a successful Kennedy round can be a crucial factor in moderating the flow of U.S. investment into the EEC and EFTA countries. The lower their tariffs, the lower the incentive to get inside the tariff walls.

Over and above the investment impact, of course, we have a large trade stake in the Kennedy round. This stake is worldwide in scope—nearly two-thirds of our commercial exports go to countries outside Europe, but the issue is perhaps focused most sharply in relation to the new regional groupings in Europe. As the EEC and the EFTA move forward in dismantling their internal trade barriers, the degree of discrimination grows against outsiders. As the EEC moves toward a common agricultural policy, with a heavily protected market for its producers, the world's agricultural exporters face increasing difficulties.

In these great regional markets, as indeed in others as well, the vital element is not only the competitiveness of our industry but also the opportunity to display this competitiveness through reduced trade barriers. This obviously works both ways. The lower our tariffs, the more competitive our industries must also be in the face of foreign competition. Our postwar trade record—and our trade performance last year—has made clear that, overall, our industry and agriculture are able to compete. It is the opportunity to compete which we believe a successful Kennedy round will help to maintain and enhance.

The question may be raised whether much quicker progress in our exports could be made if those countries which are complaining about "excess dollars" created by our deficits would spend them on imports from the United States. This question makes the basic point that the responsibility for solving major balance-of-payments problems—for facilitating the adjustment process under modern-day conditions—should fall both on the surplus and the deficit countries. We support this position fully.

However, some perspective is needed on the role of the additional dollars created by U.S. deficits. Of the almost $26 billion held by foreigners about $15 billion is held by official monetary authorities. Two points should be made about these official holdings. Historically, the accumulation of dollars was desired to build up reserves to needed levels. By building up these reserves, the shift to convertibility and the reduction of restrictions on trade was made possible. The whole world has been a beneficiary of these developments. At the same time, it is clear that the addition of dollars to official reserves cannot continue indefinitely as in recent years. Ideally, countries which find themselves faced with too large an inflow of dollars could, while legitimately urging an end to U.S. deficits, also take measures to assist the adjustment process. One cannot say in advance what should be the proper mix of policy instruments for any one country but the possibilities are there.

In the case of the almost $11 billion held by the private sector it should be noted that all these dollars are held voluntarily. Indeed, in 1964, most of the deficit was financed by the dollar accumulations of the private sector. These privately held dollars are used among other things for the purpose of financing world trade, to the benefit of all concerned.

These issues go to the heart of the effectiveness of our international monetary system. While its postwar performance in expanding trade and output has been remarkable, it has depended in major measure for additional liquidity in U.S. deficits. These deficits cannot be allowed to continue and therefore, as previous witnesses before this committee have testified, the need is for improving the international monetary system to provide necessary financing facilities for world trade and investment without such heavy dependence on the United States.

DEATH OF QUENTIN REYNOLDS

Mr. JAVITS. Mr. President, I announce to the Senate the passing of Quentin Reynolds, one of the world's greatest war correspondents, one of the prides of the newspaper world, who died in his sleep at Travis Air Force Base, Calif., early this morning.

Quentin Reynolds had a legendary reputation, and he well deserved it. He was indeed a model for the whole concept of what the American public thinks a great press correspondent should be. He lived an extremely useful, fruitful, exciting, and important life. He made an outstanding contribution to the courage, initiative, and brilliance of American journalism.

I know the Nation will mourn his loss. I happen to have known him personally, and to know personally his daughter and her family, and therefore have a deep feeling at his passing at the relatively early age of 62.

I ask unanimous consent that certain references to his career may be made a part of my remarks at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TRAVIS AIR FORCE BASE, CALIF.—Quentin Reynolds, World War II war correspondent and author, died in his sleep today at Travis Air Force Base station hospital. He was 62.

Reynolds was stricken at Manila last week and was admitted to Clark Air Force Base hospital in the Philippines Saturday.

He reached Travis by a military air transport service evacuation plane at 4:45 p.m. yesterday.

James J. Reynolds, Assistant Secretary of Labor, flew from Washington and spent several hours with his brother at the Travis hospital yesterday.

Reynolds fell into a sleep about 7:30 p.m. He died at 5 a.m.

FOURTH ANNIVERSARY OF THE ALLIANCE FOR PROGRESS

Mr. JAVITS. Mr. President, I invite attention to the fact that the past weekend witnessed the fourth anniversary of the launching of the Alliance for Progress. All of us who are deeply concerned with the problems in the Western Hemisphere are gratified at the remarkable record which has been achieved as a result of our extremely constructive efforts in the affairs of the Western Hemisphere.

Given the lofty goals of the Alliance, it was inevitable that its achievements to date would not satisfy all. Yet, in terms of better housing, new schools, new roads, new hospitals and industries, the Alliance has accomplished much. In these terms, and in terms of reforms already put into effect, we have a great deal to show for the $3½ billion spent over the past 4 years to achieve Alliance goals.

But the real significance of the Alliance is the enormous impact it made on the psychological climate of the hemisphere, on the attitudes of the Latin American leaders toward economic and social reform, and last but not least, on the attitudes of the masses toward the achievement of a better life within a reasonable future. It is extremely doubtful that without the Alliance the economic development process in Latin America could have been contained within the framework of democratic reform.

With the establishment of CIAP, the Inter-American Committee on the Alliance for Progress, in March 1964, the Alliance has been given multilateral executive direction and a method to coordinate the needs of member countries and to evaluate the progress of individual countries in terms of Punta del Este goals.

Considerable progress has also been made to coordinate private enterprise

participation in Latin American economic development under the outstanding leadership of George S. Moore, president of the Inter-American Council of Commerce and Production—CICYP—and David Rockefeller, chairman of the newly created Council for Latin America.

In this connection I wish to mention also the organization last September of the private, multinational Adela Investment Co., one of the most important initiatives of private enterprise in developing the economic potentials of Latin America.

The major unresolved problem facing the hemisphere today is economic integration. While LAFTA and the Central American Common Market have made great strides during the past there can be no effective economic integration and policy coordination in Latin America without the full and unequivocal support of the political leadership of the hemisphere. The need for such support today is more clear than ever before.

I ask unanimous consent that an article from the New York Times of March 16, 1965, entitled "Alliance Record Pleases Experts," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ALLIANCE RECORD PLEASES EXPERTS: WIDE LATIN GAINS FOUND AS PROGRAM ENDS FOURTH YEAR

(By Tad Szulc)

WASHINGTON, March 15.—The Alliance for Progress quietly marked its fourth anniversary last weekend with specialists here in general agreement that it has scored considerable achievements despite many unavoidable weaknesses.

The record shows that the Alliance, announced by President Kennedy on March 13, 1961, has brought substantial economic growth.

While the Alliance's goal had been to raise the per capita income in Latin America by 2.5 percent annually during the program's 10-year life, the preliminary statistics for 1964 indicate that the area's average went well over 3 percent. In 1963, the increase in eight republics had neared 5 percent, or double the Alliance's objective.

Economists believe the emphasis given by most countries to policies advocated by the Alliance, such as food production and the expansion of business activity, was to a large degree responsible for this increase.

They said the Central American Common Market, an undertaking strongly supported by the Alliance, was a major cause of marked economic growth in the five member countries. These are Salvador, Guatemala, Honduras, Nicaragua, and Costa Rica.

UNITED STATES GIVES $3.5 BILLION

Under its commitment to the Alliance, the United States has disbursed over $3.5 billion to Latin America in the last 4 years. These funds have led to tens of thousands of dwelling units and schoolrooms, thousands of miles of roads, scores of hospitals, new industries, and new economic activity.

Experts believe that the Alliance's most important and durable influence has been in its organization of Latin America for economic and social development.

Although the name Alliance for Progress is not always used and connections with the United States are not always emphasized, the 4 years of the program have deeply affected Latin American attitudes toward the handling of problems.

It is said that pressure generated by the Alliance has made government after government move ahead with basic social changes, such as land and tax reform and the beginning of low-cost housing programs.

Many of these reforms are far from effective, it is admitted here. But throughout Latin America the need for them has been fully accepted, it is believed, even if sometimes only lipservice is paid them.

The high point of the Alliance's work in the opinion of observers, has been to establish national and international institutions equipped to handle economic development.

On the local level, economic planning boards have been formed in 13 countries actively participating in the Alliance. Working with the aid of outside experts, Latin American governments are now capable of assessing their resources and establishing priorities in development.

Many officials believe the existence of the Alliance as a broad concept has made it possible for Latin American leaders—such as President Eduardo Frei Montalva of Chile, and Fernando Belaúnde Terry of Peru—to win support at home for their reform policies.

As the fifth year of the Alliance begins this week, further streamlining of the program is being contemplated. At a conference of Latin American foreign ministers in Rio de Janeiro next May, several governments, notably Chile and Brazil, will propose a stronger link between the Organization of American States and the Alliance's Steering Committee.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MILLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IOWA FARM BUREAU FEDERATION ADDRESSES

Mr. MILLER. Mr. President, the Iowa Farm Bureau Federation sends to Washington approximately 100 farm bureau ladies every other year.

This year, a dinner was held in Washington by the Iowa Farm Bureau ladies, honoring members of the Iowa delegation in the Congress.

Three speeches were made during the dinner. The speeches are so outstanding and meritorious that I believe they should receive the attention of readers of the CONGRESSIONAL RECORD and all other persons interested in current problems pertaining to agriculture.

Accordingly, I ask unanimous consent to have printed in the RECORD these three speeches: The first by Mrs. J. S. Van Wert, of Hampton, Iowa, on the subject of "Farm Bureau Philosophy"; the second by Mrs. James Mohr, of Eldridge, Iowa, on the subject of "World Trade"; and the third by Mrs. Rolland Fritz of Burlington, Iowa, on the subject of "Reapportionment."

There being no objection, the speeches were ordered to be printed in the RECORD, as follows:

FARM BUREAU PHILOSOPHY

(Speech of Mrs. J. S. Van Wert, of Hampton, Iowa, State chairman, Iowa Farm Bureau Women, delivered on Mar. 9, 1965)

I am Mrs. J. S. Van Wert, of Hampton, Iowa, State chairman of the Iowa Farm Bureau Women. We 96 Farm Bureau women leaders, delegates from all parts of Iowa, flew into Washington, D.C., yesterday by chartered plane. We're thrilled to be in this setting of our National Government, to view a bit of the history of our priceless American heritage and to see the "factory" of the laws of our great Nation. The self-government here in America can be preserved only by active, intelligent assumption of basic citizenship responsibility, by all of us. We encourage everyone of our members to be active in the party of her choice, for we believe that our freedom is not only a privilege but it is a responsibility.

Woodrow Wilson said, "Liberty has never come from the Government. The history of liberty is a history of the limitation of governmental power, not the increase of it."

The philosophy stated by Nicholas Butler appeals to me. He said, "False democracy shouts, 'Every man down to the level of the average.' True democracy cries, 'All men up to the fullest capacity for service and achievement.'"

It was this land of promise, our United States, with its competitive enterprise system that intrigued my parents to come across the ocean, leaving Sweden behind. Their only material possessions were their clothes. But here they could capitalize upon their determination and ability to work in establishing a good Christian home and acquiring a farm near Worthington, Minn.

Fortunately, they were also able to save enough to send me to Iowa State University during the depression years. Here I met my husband. He had worked all of his way through the university and even supplemented his family's grocery basket at times.

We were married after I taught 1 year to get some experience and incidentally to pay a college debt. My husband was the county agent in Butler County. At that time extension work was sponsored and financially supported by Farm Bureau memberships.

No one had to belong, but we chose to join this farm organization. Its dignity and high ideals justified its growing strength to where it is now the largest farm organization in the Nation with a membership of over 1,645,000 families. We're proud of our voluntary membership and feel that other organizations should stand on their merits too in acquiring memberships—and not depend upon compulsory memberships.

After 5 years in extension work, we moved to the first piece of land that we and our banker purchased. We were pioneers in the hybrid corn and hybrid hog ventures.

As our four children became old enough, they helped with the farm work—which was good for character development, we thought. It is said that, "The man who rolls up his sleeves seldom loses his shirt." I was especially glad that they knew how to assume responsibilities when their father was suddenly taken from us by an auto accident in 1954.

After that the two boys both graduated from the university with animal science degrees. The two girls are now in their sophomore and senior years in the university. David is working for Swifts in North Carolina while Jay, the oldest, and his family are now farming with me.

We are farming 560 acres, growing corn and soybeans, plus raising hogs and sheep. Last summer we drilled irrigation wells and plan to grow some specialty crops.

Recently when Vice President HUMPHREY spoke at the National Farm Institute in Des Moines, he swelled us with pride in our vocation. He said, "I know of no segment in the economy of this Nation or of any nation that's more deeply involved in trying to make a better world. Let not one doubt the contribution of agriculture to our national strength and our national security. Agriculture is not a laggard and it ought not be looked upon as a problem or a burden—it is not holding America back."

Jay has also joined farm bureau because he appreciates its philosophy. The basic philosophy of such an organization must be broad, and admittedly somewhat intangible. However, we believe it is of utmost importance. An organization or an individual without a well established philosophy and set of principles is like a ship without a rudder. Such an organization or individual drifts—tries to make decisions on the spur of the moment without reference points, and consequently will make far too many mistakes. We believe philosophies and principles can be changed through careful consideration, but must be firmly established and adhered to until changed.

The philosophy of a national organization as large as Farm Bureau is not easy to define. We represent all classes of farmers, from the sharecropper to the wealthy. Our membership cuts across every agricultural commodity group, every State, and both political parties. In spite of this, there is a remarkably close agreement on general principles and direction.

We have a fundamental belief in God. We encourage each of our members to be active in the church of her choice as well as to be active in the political party of her own choice.

I am convinced that the majority of farmers—and especially the majority of farm bureau women—are determined to adhere closely to their principles and philosophies. We have resolved we would not knowingly take a position that would favor agriculture and hurt the Nation. We will not ask advantage at the expense of our democratic political system or our private enterprise system. Such gains would be too high priced. No group in America is more proud of the United States and its form of government. No group is more loyal to our Nation's heritage and traditions. We are proud of the fact that we have never been accused—at least, to my knowledge—of being infiltrated by Communists, Nazis, John Birchers, or for that matter, Americans for Democratic Action.

We have tried hard to enhance the prestige of all three branches of government—the executive, the legislative, and the judicial. We believe implicitly in the checks and balances provided in the Constitution. The Nation should probably pay greater respect to the thousands of individuals, many at great personal sacrifice, who serve their country in government. We are concerned that the citizenry by inactivity is permitting the judicial branch to exceed its authority and is urging the executive branch to accept more responsibility than was intended. There is some indication of abdication on the part of the legislative branch. Public support and respect can be permanently maintained only if each fills its proper role, no more, no less.

We believe in the maintenance of strong, independent, and responsible State and local governments. Furthermore, we believe in a minimum of government consistent with maintenance of law and order, care of the helpless, the maintenance of a climate that provides opportunity for our goal of universal education.

The fields in which government can properly function are many. We support the great majority of our Government's activities, including foreign aid and international concern. The problem, in our opinion, is not with the activity, but the excesses. Following World War II, for example, the United States had no alternative but to extend economic and military aid to our allies and many independent nations. This is undoubtedly still imperative, but we have a feeling that the original objectives may have been extended in an attempt to be all things to all people and to dominate the political direction of the world. We doubt this goal is either desirable or attainable.

We believe some guarantees to farmers were necessary immediately following World War II. We think a transitional farm program is still needed. But again, sensible programs are often perverted into vote-getting plans or mass-control philosophies. We are extremely disturbed by recent talk that agriculture may become a public utility.

In closing, we hope and believe that farm bureau represents the great majority of America's farmers. We doubt that it could be larger than all other general farm organizations combined, or that it could continue to increase its relatively favorable position, if this were not true. We further believe that our general "middle of the road" philosophy does not differ from what most midwesterners believe. (I will not attempt to pass judgment on other areas.)

We believe our congressional representatives and other governmental representatives should think first of the welfare of the Nation, second of the welfare of their constituents, and last the welfare of their party. We doubt that a high percentage of "party unity" votes is necessarily a demonstration of this. We believe President Johnson was right when he indicated one should first be a child of God, second an American, and third a member of his political party.

Finally, we very much appreciate having you, our Senators and Representatives, here tonight. We appreciate your patience in listening to our expressions of views. We pledge you our cooperation in obtaining broad understanding of the fundamental issues of the day and in your efforts to represent America and Iowa.

World Trade

(Speech of Mrs. James Mohr, of Eldridge, Iowa, delivered on Mar. 9, 1965)

I am Mrs. James Mohr, of Scott County, Eldridge, Iowa. Our home is on a 160-acre farm 7 miles north of Davenport, Iowa. My parents were fruit and vegetable gardeners in Scott County. I grew up on our small truck farm with my one sister and three brothers, sharing in the task of planting, weeding, harvesting and selling the fresh fruit and vegetables from the garden. My parents also operated a roadside market east of Bettendorf and at the early age of 14, I, too, took my turn at serving the customers. It was long hours and hard work, however a real challenge to have everything attractive and tempting for our many regular customers. My parents were hard working and conservative. I was fortunate that they encouraged me to enter nurses training at St. Lukes Hospital in Davenport where I graduated in 1944.

It was during my freshman year at St. Lukes when I met my husband Jim and also the year he left to serve with the Armed Forces in World War II. We were married before he left for oversea duty. Our class was the first one to allow married students to remain in training. It wasn't long until we had more married than single students. The days and weeks were long and at the completion of 4 years service in the European Theater and the end of the war, Jim was discharged with the rank of major. Until his return I worked as staff nurse and floor supervisor.

We started farming in 1946, on my husband's home place; our home was built in 1866, constructed of three layers of brick throughout. The bricks were hauled a distance of 25 miles by team and wagon. The same home stands today with each generation making a few changes here and there. It still receives the oh's and ah's from our urban friends and visitors. It is a wonderful place to rear our 4 children, they being the 4th generation of Mohr's to have lived in our home. Patricia our oldest daughter, now a freshman at Iowa State University; Margo, a senior at North Scott and will be entering Iowa State University this fall; Paul, a sophomore and Jerry in junior high at the North Scott Junior-Senior High School, where I also find time to be substitute school nurse on occasion. We farm 520 acres in partnership with Jim's brother Ned, with our main enterprise being livestock and grain farming. Our children all help in our farming ventures. As soon as the boys were old enough they had their own 4–H baby beef and swine projects, thus saving toward their college education. In 2 years we too will have three in college at once, and with the increasing costs of education this could be a real drain on dad's and mom's pocketbook.

It has always been one of my dreams to visit this great Capital of ours and this week I share in this experience along with other delegates from Iowa, representing the farm bureau organization and participating in a program so constructed that we may come to know each other in a much better way and so to pack "gems" into our treasure chest of memories, gems that we may share with others.

As coworkers with Him as stewards of the soil, it is my concern that this great land of ours be found by the next generation as good if not better than when we started farming. With the continued research, efficiency and productivity of our soil, combined with the needs of other nations of the world we must constantly be alert to the necessity of trading with other countries, which constitutes the topic I have chosen to discuss briefly with you tonight, "world trade." I am happy to have this opportunity, for I believe it to be one of tremendous importance. As Congressmen, you undoubtedly have access to statistics and semiclassified information that is not available to us. I do not hope to bring you new information but rather, in citing some facts and opinions, to apprise you of how strongly we feel about the necessity of expanding world trade and the resulting benefits.

World trade, just like any other kind of trade, is based on the principle of specialization and exchange—the economic engine for better living. With voluntary international trade, people in each country produce those goods and services for which they have a comparative advantage. Then, each country sells something it has for something it would rather have. Thus, by engaging in trade, the country improves its overall position.

We import goods from foreign countries because we can buy them cheaper than we can produce them, because we like their qualities better than those of goods available at home, or because our own production of these goods either is too small to meet our demand or would not be profitable.

World tensions are at an alltime high. Underdeveloped nations are restless—many antagonistic. The development of a workable international trade policy and agreement may well be the most vital ingredients in achieving world peace.

We supported the Kennedy administration in its sponsorship of the Trade Expansion Act of 1962—which, as you know, passed the Congress with bipartisan support. We believe the outcome of the Kennedy round of trade negotiations now underway may be the most important current issue of the day outside of the possibility of the World War III breaking out of its bounds in South Vietnam.

I would like to discuss the subject of trade and why Iowa farmers and farmwomen put this much importance on trade. First, from the general point of view.

All of us are familiar with the theory of relative advantage. It's more than a theory—it's a proven economic fact. The standard of living of all people would be highest if each would produce those things which he can produce at relatively the greatest advantage and trade his surplus production for those items he wants that he produces at a relatively less

advantage. This theory holds good regardless of the wage scales or other factors. The most skilled surgeon in the United States—with the highest income—benefits by trading with farmers. Whoever this man is, he might well have been a farm boy who still retains his skills in agriculture, could own his own farm and produce his own food as well as Iowa farmers. This would still be poor use of his time because of his greatest skill—his relative advantage—lies in the field of surgery. This simple theory is complicated by political consideration and selfishness and misunderstanding.

I do not want to be misunderstood. We are advocating world trade, but the logical goal is freer trade—not free trade.

From the viewpoint of the world as a whole, trade is vital. All of us are interested in seeing the standard of living and the educational levels of underdeveloped nations improve and increase. We all agree that the best way to do this is to make possible conditions where these people improve their own lot and earn their own way. Gifts from nations like the United States are undesirable both from our viewpoint and theirs even though in some cases temporarily necessary. Technical assistance and some gifts can give these people a start, but only through trade can underdeveloped nations really get on their own feet and pull themselves up. They cannot hope to suddenly start producing high quality steel tools, dies, and heavy machinery. If they can trade what they do produce for some of these items, increased production will result. The people of these countries will be on their way and another burden lifted off of the more developed nations.

From a national viewpoint we have an important stake in trade. In the first place we have a favorable trade balance. Last year we exported $3.6 billion more than we imported. Unfortunately this favorable balance was more than offset through foreign travel, foreign aid, and the maintenance of armed forces in other countries. Because the total balance of payments has not been in our favor, the value of the dollar is threatened. We can only raise this value in two ways. We can reduce our investments and commitments abroad, or if we can, increase the margin of exports over imports. In all probability we must do both. In terms of dollars and cents alone, the U.S. stake in international trade is greater than that of any other nation. We are the largest industrial and agricultural producer in the world. For many of our industries and much of our agriculture, the market outside this country is vital.

We are being warned by many of our experts that by 1975—only 10 years away—we will be importing between 25 and 100 percent of all our supplies of 26 strategic minerals. Without them we cannot maintain our military defense nor our level of living, if, indeed, we can survive at all.

Now I would like to come closer home and discuss trade from the viewpoint of a farm family. Agriculture has a tremendous stake. Last year agricultural exports totaled $6.2 billion—an alltime record. Approximately three-fourths of these were for dollars. Our commercial exports exceeded our competitive imports by more than $2 billion. A $2 billion net trade balance is vital to farm prices.

We exported the production of almost 1 acre out of 4 of our farm products. Iowa has an above-average interest. We exported almost 1 acre out of 2 of soybeans and 1 out of 7 of corn. Soybean and feed grains exports are increasing more rapidly than agricultural exports as a whole. Japanese processors have estimated that they may double their imports of soybeans in the next 5 years.

Of course, we have been concerned about imports. We were especially disturbed about a year ago with the increased beef imports from Australia. Almost every year farmers complain about the number of calves being imported from Canada. These complaints cannot be taken lightly because they do directly affect the pocketbook of many farmers. On the other hand, Canada is our best customer. They have always imported more from us than we do from them including agricultural imports. Australia bought twice as much from us last year as they sold us. A year ago when they were selling us what we thought was too much beef—they were taking the dollars and buying transistor radios, and heavy machinery from Japan and Japan was buying an ever-increasing amount of soybeans from us. Our concern about beef imports from Australia continues, but we are assured by the Australians that both their soil and climate prevent any dramatic increase in their productive capacity. Furthermore, they are looking more and more to the Asian countries to the north of them for their export market. This combination of factors is probably proof that they are considerably less a threat than we might have thought during the low cattle prices a year ago.

We, in farm bureau, are not happy with farm prices and farm income. We believe the basic answer—to our problem is more likely to come out of Geneva than it is out of Washington. Let me explain what I mean. Since 1950 world food production per person has been going down. Demand for food per capita has been going up. The most important deficit of all has been in protein. Assuming a satisfactory trade policy, can you think of an area more likely to benefit from this situation than Iowa? Dean Floyd Andre, of Iowa State University, recently returned from one of his many trips to South America. He points out that Latin America is actually a food deficit area. Only in Argentina and Uruguay are the people well fed. I can remember when we were extremely concerned about imports of beef from Argentina. It now appears that they are likely to have markets for their excess food supply much closer to home. Within a few years the population of Latin America will be double that of North America. Dean Andre further points out that North America—the United States and Canada—is now the main exporter of food and feed grains in the world. He predicts that by 1980 Iowa might be pushing corn and soybeans production to the limit. This may be optimistic, but if export trends were to continue as they have been in the last few years, this favorable situation would develop more quickly than that.

In conclusion I want to make it crystal clear that Iowa Farm Bureau women are not naive about the complexities surrounding world trade negotiations. We do not like international commodity agreements because they tend to divide the world market into neat packages rather than permitting competition for markets. We do not have the answer for the variable import fees levied by Common Market countries. We recognize the sensitive nature of negotiations. We do not advocate abandoning cattle feeders or any other industry to temporarily ruinous levels of imports. Yet we believe we can never cease to work for sensible trade policies and that progress can and will be made. There is and will undoubtedly continue to be an increasing world food shortage. Can you think of any group that has the opportunity to make a greater contribution to world health, to the world's standard of living and to world peace than farmers? Fortunately this opportunity coupled with sound judgment and policies will also contribute to our own individual welfare and to the strengthening of our Nation. We're proud and happy to be in this enviable position where we can be of assistance.

REAPPORTIONMENT

(Speech of Mrs. Rolland Fritz, of Burlington, Iowa, delivered on March 9, 1965)

Fifteen years ago when a city-born-and-raised gal married a farmer and moved to the farm, even in her wildest dreams never dreamt that she would someday be chosen to speak before such a distinguished audience on behalf of the Iowa Farm Bureau, part of the largest farm organization in the Nation. But, here I am.

Rolland and I live on a 340-acre farm about 3½ miles south of Burlington, Iowa, in Des Moines County. We raise corn, soybeans, and oats on a rotation basis. We feed about 60 head of cattle and raise 400 head of hogs a year.

We are also proud parents of three boys. Stephen, age 12, who is quite a bit taller than his mother; Jeffrey, age 10, who is shorter than Stephen and a little wider; and David, age 8, who's still a little shorter and still a little wider. Stephen is a 4–H Club member. Both Stephen and Jeffrey play on little league teams, while their younger brother David is a bat boy. Jeffrey and David are Cub Scouts for which I am serving my fourth year as denmother.

We are members of St. Luke United Church of Christ in Burlington.

Rolland and I have been members of the county farm bureau 14 years. I have served on various committees and held offices both on the township and county level. At the present time I am serving as county women's chairman, and Rolland is county vice president.

Cooking and bowling are my hobbies. I am presently serving as president of our Farm Bureau Rural Women's Bowling Leagues.

I have chosen to discuss our viewpoints on reapportionment this evening.

Contrary to impressions that one might gain from reading Iowa's largest newspapers, farm bureau people in Iowa are for reapportionment. We have been for many, many years. Our State farm bureau resolutions included references to reapportionment several years before the subject became a general topic for discussion in Iowa or nationally.

In the beginning our resolutions merely stated, "if there is to be reapportionment of the State legislature, it should be with one house based on population and the other on area." When the League of Women Voters and some other urban groups became interested in the subject, they asked us to strengthen our resolutions to a positive one. The subject was discussed more thoroughly in township and county meetings, and the voting delegates did adopt a resolution calling for reapportionment on the basis of area and population. We were the subject of editorials from the Cedar Rapids Gazette and the Des Moines Register praising our position and courageous stand. As the discussion proceeded, we became concerned that more and more people began to ask for more than originally discussed. The past president of the Iowa Farm Bureau, Howard Hill, expressed this concern and an editorial in the Des Moines Register ridiculed this fear, saying, "We know of no serious effort by any important Iowa group to reapportion both houses according to population * * *. It seems unlikely that the Farm Bureau needs to worry about a change that will turn over all control to the cities. The best the cities can hope for is to get representation by population in one house. And, we repeat, that is all most city people are asking."

So much for history. It's really not important and neither is the theory of one house area and one house population at the moment. As everyone knows, the Supreme Court has ruled that both houses must be apportioned on population.

I believe it is safe to say that this is an issue on which there is as much unanimity

between farm people and residents of small towns as any that has been discussed in recent years. We believe the Supreme Court exceeded its authority. We do not believe this decision is an interpretation of the Constitution but an amendment by judicial decree. The decision refers to the 14th amendment, the so-called equal protection amendment. We feel this was intended to deal primarily with guaranteeing free and equal ascess to the courts. We cannot conceive that the 14th amendment was actually intended to force an apportionment within the States dramatically different to that already accepted in the National Congress.

Supreme Court rulings following this notorious decision have actually ruled invalid State apportionment approved by a majority vote of all the people. We believe in one person, one vote, but we think that ought to be on the basis of the people deciding what kind of State government they want. The Supreme Court has said you cannot have anything less than population representation even if the majority, on a population vote, so decided.

To defend the Supreme Court's action, they say that our Federal Constitution was merely a compromise and the only way that the Federal Government could have been put together, and consequently worthless as a guide for States. It should be pointed out that the colonial governments here in America has used this principle of an upper house on area and the lower house primarily on population for almost a hundred years before the Constitution was adopted. As the late Justice Frankfurter said of this so-called equal representation, "It was not the colonial system; it was not the system chosen for the National Government by the Constitution; it was not the system exclusively or even predominantly practiced by the States at the time of the adoption of the 14th amendment; it is not predominantly practiced by the States today."

Chief Justice Earl Warren said at the time he was Governor of California: "The agricultural counties of California are far more important in the life of our State than the relationship their population bears to the entire population of the State. It is for this reason that I never have been in favor of restricting their representation in our State senate to a strictly population basis. It is the same reason that the Founding Fathers of our country gave balanced representation to the States of the Union, equal representation in one House and proportionate representation based upon population in the other.

"Moves have been made to upset the balanced representation in our State, even though it served us well and is strictly in accord with American tradition and the pattern of our National Government.

"Our State has made almost unbelievable progress under our present system of legislative representation. I believe we should keep it."

We believe that Governor was more right then, than he was when he delivered his Supreme Court decision. Evidently the people in California do, too, because they are seriously proposing that the State of California be divided into two States to avoid dictatorship from Los Angeles for the entire State.

There is more involved in this decision than apportionment of State legislatures. The supreme courts of two States have held that this "equal representation" must apply to the board of supervisors and other such bodies. Let me call something to your attention.

The cities ond towns of Iowa were instrumental in convincing the 60th General Assembly that they were entitled to home rule. It now appears that the law must be reenacted and we have no objection, if its provisions are similar to those enacted 2 years ago. The supporters of the home rule provisions asked why should not cities be allowed to make their own decisions within reasonable limits. Why shouldn't they be permitted to solve their own local problems, arrange their own bonds, determine their own zoning, and a multitude of other decisions. They properly argued that these decisions affected only the citizens within their incorporated limits. We agree.

However, we would point out to you that rural residents can make no such decisions for themselves. With the exception of the local school boards, all of the governing decisions affecting rural areas are made either by the legislature or by the boards of supervisors. If these positions are to be apportioned completely on population with the cities and towns in the majority—and if we are to have home rule in the cities—then this means that cities and towns make not only their own decisions, but—through their majority in the legislature and on the boards of supervisors—they make ours, too. This is grossly unreasonable. It is unfair. Surely the legislature in a State that prides itself on its rural heritage—in a State where the slogan is "where farm and factory meet"—must rectify this situation through positive action. We will fight for our rights for representation—our right for "home rule" in every honorable and reasonable way, and with every ounce of strength that we have.

Let me assure you that we believe there are equitable solutions to these problems. We think the interests of Iowa will be best served by harmony and not by division. We have tried to contribute to this unity, and we will in the future.

Specifically, here is our suggestion. We respectfully, but urgently and insistently, request that you, our Senators and Representatives, do everything within your power to have adopted an amendment to the Federal Constitution providing that States may apportion one house of their legislature on other than a population basis if desired and if approved by a vote of the majority of the people. We have never contended—nor do we now—that the urban majority is evil or would intentionally discredit the welfare of rural residents. However, the fact remains that our problems are quite different and that it is impossible for residents of even small cities like Des Moines and Cedar Rapids to understand these problems. We firmly believe that area representation is necessary if these special problems are to be adequately represented and the rights of the minority protected.

We are not impressed with the arguments that it is not wise to tamper with the Federal Constitution. There are many amendments to this document. Furthermore, this Court decision is based on an inaccurate interpretation of the 14th amendment. In fact we think it is an amendment by decree in itself. Neither are we concerned about it being dangerous to rural people to permit apportionment of one house on other than population. We have no fear of any legislature going further than this in stacking the legislature against rural areas. Both houses population is all the stacking they need.

In closing, I hope I have been convincing—if this is necessary—that ours is a just cause. I would remind you that the Governor, the Lieutenant Governor, and all of the other offices are and will be elected on a population basis along with at least one house. The Governor appoints the judicial representatives—again population control. All we are asking for is some area representation in one house of one of the three branches of government. We have asked the Iowa Legislature to pass a joint resolution calling on Congress to call a Constitutional Convention. We would prefer that the Congress adopt its own amendment. We intend to assume until we are told differently that Iowa's representatives in Congress will support such an amendment in the interests of our rural economy. We do not want division. We want unity. We want an opportunity to join our urban neighbors in working for a better State and local government in Iowa. We consider our request reasonable and minimal. We are determined not to give up on this vital issue.

Thank you.

THE PRESIDENT'S SPEECH

Mr. ERVIN. Mr. President, I ask unanimous consent that an editorial entitled "The President's Speech," appearing in the Wall Street Journal for March 17, 1965, be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S SPEECH

For a long time now, so impassioned are the feelings and so violent men's actions, it has been difficult to disentangle the mind from the emotions in the civil rights issue. So it was the other evening when the President spoke to the Congress.

When President Johnson said that a Negro's right to vote on a parity with his neighbor is the most fundamental of his rights he spoke only the simple truth. He did also when he said that there was no cause for pride in the recent events in Selma, Ala. Or when he said that in diverse others places too men have been denied their right to vote for no other reason than that their skin was black.

And for men of good will there should be only shame at the ingenuity with which this has been done. Even Mr. Johnson's catalog did not do full justice to that ingenuity—the absent registrar, the web of bureaucratic forms, the arrogance of officials left to form their own peculiar tests, the constitutional questioning which even highest judges cannot answer to every man's satisfaction. No man, indeed, can count the ways of discrimination by the determined and the sly.

Surely no man of good will, listening to the President last Monday, could help but share his wish that by some means the lawmakers can put an end to that.

The moral issue is indisputable. And the Constitution, that document behind which some men hide and others honor only when it suits their purpose, is quite clear upon the matter.

The rights of the citizens of the United States, it says, shall not be denied or abridged by the United States or by any State "on account of race, color or previous condition of servitude." It plainly says the Congress shall have the power to enforce this principle by appropriate legislation.

So, of the need for remedies and of the propriety of action there can be no doubt.

Yet for all of that, there came a point in the President's speech when his words which had been clear, forceful and concise began to ramble. It was evident, looking down at the floor of the House, that the riveted attention of those assembled had been lost. And at this point some other thoughts began to intrude the mind.

For one thing, here was the President of the United States asking—nay, demanding—that the Congress promptly enact a bill which he himself had not yet put words to. Speaking on a Monday night he said the details would be worked out on the morrow, and that on Wednesday the Congress might know more exactly what was asked of them.

And here was the Congress of the United States, with some few exceptions of mixed motives, caught up in the mood to enact a law which they had not yet seen. In the Press Gallery, from which reporters scurried to talk with Senators and Congressmen, the

word came back that all would be speedily done.

By yesterday the outlines were somewhat clearer. But as this is being written, the party leaders in Congress are still meeting with administration officials trying to decide exactly what law it is the President asked for the evening before.

Consequently, none of us can at the moment have any reasoned judgment on the proposed law itself; nor is it easy to see how the Congress can either. For there is a great difference between virtues of a heart's intent and the provisions of a law which would put that intent in coercive form.

But we can hope that the law as finally enacted will not embrace all of the thoughts embodied in the President's rhetoric. For in the emotion of the moment Mr. Johnson did not stop with asking a law to see that all citizens—white, black, brown, or yellow—be treated alike or content himself with asking Federal authority to see that this be done.

He said, for example, that the law should strike down all restrictions to voting in all elections which ever have been used to deny Negroes their vote. This new law, he said, must protect the right of "every American to vote in every election" that he may "desire" to participate in.

This is a wholly different thing. At some time and in some places every rule—restriction, if you prefer—has been abused to discriminate against a Negro voter. But it does not at all follow that every such rule, or restriction, is unwise or improper in itself.

Age limitations, residence requirements, the ability to read and to write the language in which society's affairs are carried on, all these things have much to commend them. In any event, a Federal law to sweep them away would violate that self-same Constitution which the President asks us not to flout with prejudice. In two separate places, in identical language, the Constitution gives to the States the right to set such standards.

The essence here, the thing that both heart and mind demand, is that when they walk toward the voting booth all citizens shall be treated alike. This is, first of all, the responsibility of each community, but if they abrogate it then justice asks that all of us do what is necessary to see that some do not do injustice.

For our own part, we doubt not this will be done. Yet if it is to be well done, it ought not to be done until what is done is carefully thought upon so that we see what we do. Sometimes, sad to say, it takes emotion to move men to act, but those swept by emotions must take care lest they sweep away the good with the bad.

APPALACHIA BILL CALLED BLOW TO WESTERN BEEF INDUSTRY

Mr. CURTIS. Mr. President, during debate on the Appalachia bill the Senate committed an act which in my judgment is one of the most serious mistakes of this, or any recent session.

I refer to the defeat of Senator HRUSKA's amendment which would have eliminated section 203 providing for subsidies to encourage beef cattle production in the Appalachia area.

We will have a long time to live with this mistake and I strongly urge that a careful watch be kept on the impact of this section throughout the 2-year authorization contained in the bill. It is quite likely that we will want to review our action and reverse it.

The critical nature of the threat this section poses to the cattle industry in America is well pointed up in a recent editorial in the Cheyenne, Wyo., State Tribune which notes:

The western livestock industry would be gravely depressed, even more so than by the 1.75 billion pounds of beef imports that were pouring into this country last year.

Nor is the problem limited to the Western States. As has been pointed out on the Senate floor, some 33 States in this country each have a million or more head of cattle.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial from the Wyoming State Tribune entitled "Blow to the Western Beef Industry."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BLOW TO THE WESTERN BEEF INDUSTRY

A week ago yesterday, rather hot debate took place in the U.S. Senate over an amendment—styled amendment No. 11—to S. 3, which is otherwise known as the Appalachia bill, a key part of the Johnson administration's so-called war on poverty.

Amendment No. 11 was sponsored by ROMAN HRUSKA, Republican, of Nebraska, and others; its effect would have been to delete section 203 of the Appalachia bill which provides for a contract conservation program with a limitation of $2,500 for tracts of 50 acres.

The net effect of this provision, said Senator HRUSKA, is to encourage the raising of beef cattle in small quantities on tracts so covered—in a quantity sufficient to seriously endanger the western beef cattle industry.

Mr. HRUSKA thinks that up to a million extra beef cattle a year could be produced to be thrown onto an already glutted market, and thus further depress it.

In debate on the amendment, the Nebraska Republican reminded the bill's sponsors that two administration spokesmen, Secretary of Agriculture Orville Freeman and Under Secretary of Commerce Franklin D. Roosevelt, Jr., last year testified that added marketing of cattle from Appalachia would amount to $230 million a year—a million head of animals.

"Is that not a factor?" asked Senator HRUSKA. "Is that not plenty of additional competition for the beef industry? I would say that it is, particularly when Secretary Freeman states that the big trouble with the cattle industry is that it is overproducing."

It is significant that Senator HRUSKA was joined in his attack on this provision by Senator LEE METCALF, Montana Democrat.

"I cannot justify in my mind a program which on the one hand would contribute to further poverty, as has been pointed out, in other areas of the United States, and then take that same poverty to build up something in the Appalachian area," said the Montana Senator.

Senator FRANK LAUSCHE, of Ohio, another Democrat, pointed up the conflict between this provision and the Government's program to discourage agricultural production.

Said he: "We have a number of programs in which we say to the farmers, 'Take your land out of production. If you do so, you will improve the glut in the market. You will help stabilize prices. If you do that, we will pay you for your failure to produce.'

"However, in the present instance, completely in conflict with what has been past practice, we would say to farmers, 'If you improve your land with fertilizer, tile, irrigation, and fences, so that you will be able to graze your stock better, we will pay you. It will not be a loan; it will be a gift.'"

Opponents of the amendment such as Senators JOHN O. PASTORE, Democrat, of Rhode Island, and JOHN SHERMAN COOPER, Republican, of Kentucky, contended that only family farms were affected. "It was never intended that industry in any other part of the country should be dislocated," said Mr. PASTORE.

The plain fact of the matter seems to be, however, regardless of the intent, that if enough of these little family plots are converted to livestock production, a million additional head of livestock may be produced thereby. The western livestock industry woud be gravely depressed, even more so than by the 1.75 billion pounds of beef imports that were pouring into this country last year.

When the Hruska amendment which would have blocked this situation from developing came up for a vote, Senator SIMPSON, of Wyoming, voted for it. We were a little distressed to note that the other Senator from this State, GALE MCGEE, voted against it. Perhaps it was significant that on the very same afternoon and almost immediately thereafter Mr. MCGEE made his proposition, which we have commented on previously, about extending the Appalachia program to Wyoming.

If the fears of Senators HRUSKA and METCALF and other western Senators develop about the possible competition from Appalachia for the western beef cattle industry, we may really need an Appalachia bill for this State.

CHALLENGES FACING SAVINGS AND LOAN INDUSTRY

Mr. FANNIN. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a recent address by Mr. George E. Leonard, president of the National League of Insured Savings Associations, before the Southwestern Savings and Loan Conference. Mr. Leonard has grown up with the savings and loan industry in Arizona and as a national leader in this field has exerted tremendous influence on the course of these associations. His remarks point up the many challenges facing the savings and loan industry in its current area of dynamic growth.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE SAVINGS AND LOAN INDUSTRY'S BALANCE SHEET

(By George E. Leonard, president, National League of Insured Savings Associations, before the Southwestern Savings and Loan Conference, Biloxi, Miss., Mar. 10, 1965)

Your kind and thoughtful invitation to speak as a representative of the national league at this annual meeting of the Southwestern Savings and Loan Conference is indeed a privilege. Your invitation is also a special pleasure because I see so many old friends in the audience.

I hope that I can contribute to your thinking about our business. As one savings and loan manager to another, I am happy to be here to discuss with you some of our mutual problems—our successes—and our hopes for the future.

I have entitled my talk today "The Savings and Loan Industry's Balance Sheet." This title is fitting because I feel that the time has come to add up our assets and liabilities and determine where we have been and where we are going.

What is the statement of condition of this great industry?

As the manager of a Federal association which has enjoyed some measure of success, I must of necessity speak in terms familiar to a Federal manager. But, what I may

say—or my assessment of our statement of condition—applies equally well to those of you holding State mutual and State stock charters. After all, we are all in the same business and it is important to recognize the dangers and pitfalls ahead—particularly since we are all traveling the same road using approximately the same kind of transportation.

On the asset side of the ledger, we have much for which to be thankful:

An industry with financial resources approaching $125 billion.

A housing market which is still vibrant in many areas, and—more important—a big factor in the economic prosperity of the Nation.

Unprecedented recognition by the people of America. The industry which makes homeownership a living reality.

Recognition as the mainstay of home financing in America.

A good name in terms of public service, and, finally, a future as bright as any man in this room dares to dream. If the confidence placed in this industry by Congress in the 1930's—a confidence which this industry has respected and lived up to—is not impaired by ourselves or people in positions of power, the future, indeed, is bright.

Gentlemen, and ladies, the question is not whether the savings and loan business has arrived.

The question of the moment is: Now that we have arrived at a pinnacle of influence and affluence in our society—what are we going to do with our new status in the economic and social structure during the second half of this momentous century?

Before we can answer this question, we must of necessity look at the liability side of our statement of condition. Are things really as rosy and perfect as I tried to picture? Each of you knows the answer to this question in terms of your own institution. But, from the national standpoint, here are some liabilities which require attention:

Failure of savings and loan managers to develop themselves with the growth of our industry.

Fierce competition between all types of financial institutions.

Failure on the part of financial regulators to coordinate their policies to prevent the kind of detrimental competition which has led in the past to previous financial debacles in the history of this country.

Failure of savings and loan managers to recognize that emotional appeals for greater regulation have resulted in nothing more than greater restrictions imposed on the entire industry.

Excessive—and oftentimes conflicting—regulation from various Federal agencies.

During the past 2 years, the savings and loan business has gone through its most regulated period in history. More regulations were adopted in 1963 and 1964 than at any previous time in our history. At the same time that the Federal Home Loan Bank Board was rewriting existing regulations and issuing new ones, the Internal Revenue Service was implementing the new savings and loan tax features of the Revenue Act of 1962.

Meanwhile, the Federal Reserve, the Comptroller of the Currency, and the FDIC all were busy issuing regulations for commercial banking industry operations and each in his own way easing the ground rules governing competition for the savings dollar.

A comparative study of all of these regulations indicates that the Federal Government attempted to liberalize restrictions on commercial banks during a period when savings and loan associations were being placed under more and tighter regulations. In fairness, of course, the Federal Home Loan Bank Board eased some restrictions on investments—but overall the Board's policy was restrictive during most of 1964.

Assuming, for the moment, that the Board's policy was correct, it is somewhat ironic that Federal regulators in the commercial banking field took a completely passive attitude in the face of Federal Reserve warnings about the deteriorations in the quality of credit.

Only last month, J. L. Robertson, a member of the Federal Reserve Board, made this comment in a speech to Ohio bankers:

"Banks grew tired of seeing funds that had traditionally been theirs go elsewhere—to other kinds of financial institutions or into financial assets other than deposits—and they decided to fight back. Not only did they aggressively begin to merchandise savings accounts, but also they decided that corporations could be persuaded to buy negotiable time certificates of deposit. Paying interest to corporate customers was painful, but banks had to fight back. And the fight has been successful. In 5 years, negotiable CD's rose from a few hundred million dollars to $13 billion and become the second largest money market instrument in existence—led only by Treasury bills. Corporations, State and local governments, and institutions found that the CD was a good substitute for bills and other money market instruments, and the banks found themselves with more funds to lend and invest.

"Bank regulatory authorities helped banks go after interest-bearing deposits more aggressively by raising the ceiling rates four times since 1957. Many banks have taken advantage of these new limits. Banker cries of unfair competition have diminished, and recently we have heard some grumblings from other financial institutions that sound suspiciously like the bank complaints of a few years ago."

That, my friends, was the comment made by an important member of the Federal Reserve Board. Later in the same speech, Mr. Robertson lamented the quality of credit, warned his banker audience to be careful in today's market and went on to suggest that in the new competitive environment, new regulatory tools might be required. In the case of CD's, for example, he suggested that higher reserve requirements might be necessary. And while he acknowledged that bank liquidity was an increasing problem, the Federal Reserve official did not indicate that any action to restrict excessive practices in the banking field was imminent.

One might conclude that the attitude of the Federal Reserve favors growth of the commercial banking system as opposed to growth in the nonbank sector, including the savings and loan business. If this be the case, it is a philosophy that is fundamentally wrong and against the national welfare. Of course, this has been the traditional attitude of commercial banks.

At the conclusion of his speech, Mr. Robertson called for "a well-coordinated, progressive reform of bank regulation" but he said that "our Federal supervisory structure is enmeshed in a tangle of overlapping responsibilities, conflicting philosophies, and procedural cross-purposes that makes prompt and effective action impossible." He concluded: "If ever events called for a unified Federal supervisory structure, this surely is the time. The challenges posed by today's competitive pressures are clear. Bankers, supervisors, policymakers, and legislators must find the institutional framework and the intestinal fortitude to meet those challenges—and quickly."

Mr. Robertson, of course, was speaking largely about supervision of commercial banks. You will note that he referred to four upward adjustments in rate ceilings under regulation Q since 1957—a period during which savings and loan associations were under supervisory pressure to hold the line on rates.

I think it is important to point out that on each of these four occasions, the Federal Home Loan Bank Board was notified of a change in the rate ceiling, but only after the bank regulators had made their decision. On some of the major policy decisions in the savings and loan area, there is evidence that other Federal agencies in the past have had a decided influence over some of the actions of the Federal Home Loan Bank Board. In this connection, I noted an article in the American Banker recently in which Comptroller of the Currency Saxon is reported to have tried to persuade the Bank Board to postpone regulations proposed in 1964 which tightened the liquidity rules on certificates of deposit. Mr. Saxon is quoted as saying that despite his warnings that the new CD rules would have an adverse impact on the liquidity of commercial banks, the Board refused his request on the grounds that such a postponement would grant the savings and loan business time to mount an attack against the contemplated rules.

The complaint of Mr. Robertson against the lack of coordination among Federal banking agencies is one that is extremely serious and is and will continue to receive attention by your congressional representatives in Washington. My own feeling is that the various agencies should cooperate with each other to the extent that their actions do not have an adverse effect on the regulated industries. However, I believe in the concept and spirit of independence and I do not believe that a Federal agency charged by Congress with the responsibility of overseeing the operations of a large and important financial industry should yield its authority to another part of the Federal Government.

Federal regulators do not always communicate or coordinate with each other or with State banking supervisors. But, even worse, they oftentimes issue conflicting regulations.

In the case of the savings and loan business, conflicting regulation is a serious matter. And here I refer to the definition of a building and loan association under the Revenue Act of 1962.

A rose is a rose is a rose is a rose, according to Gertrude Stein—can the same be said about a savings and loan association?

The National League of Insured Savings Associations believes strongly that the present tax law should be amended to automatically qualify any FSLIC-insured association as a building and loan under the revenue act.

Here is a case where Federal and State authorities have issued rules and regulations governing the operation of savings and loan associations and yet in order to qualify for tax treatment a savings and loan must follow an investment portfolio test set forth in the revenue act. This is not the case for mutual savings banks.

In a number of respects, the tax regulations conflict with investment powers granted to you under other statutes and, in my judgment, constitute an unreasonable burden upon this industry. The present definition must be repealed.

Both Federal and State law regulating financial institutions are in a constant process of change. Financial institutions, if they are to serve the needs of the community, must go through such processes of change. Changes in the investment powers and in the use of existing investment powers depend on a multitude of factors. They certainly should not be determined by tax law. Yet this in effect is what the definition of domestic building and loan association does and does so without any effective tax consequence but with enormous consequence to the capacity of the savings and loan business to meet the changing home finance needs and requirements of the American people.

Prospective changes in investment powers of savings and loan associations and, indeed,

the exercise of existing investment powers now require changes in tax law as well as actions by other committees of Congress or State legislatures as well as the management of individual institutions. This pressing burden upon tax law which was never originally intended introduces an element of rigidity into the Nation's financial system which serves no useful purpose but, indeed, can have preverse and thoroughly unanticipated consequences for the economic well-being of the country.

From time to time changes are enacted by the Congress on the investment powers of savings and loan associations. For example, a matter urgently being discussed by both the supervisory authorities and business is the question of the proportion of loans an individual institution may hold secured by residential income properties.

As our society has become increasingly metropolitan in character, as land prices in our major cities have continued to increase and as the property tax burden on such land has continued to mount, more and more land is being converted from single-family to multifamily use.

The effect of the definition is to freeze savings and loan associations insofar as their loan portfolio composition is concerned. They would be unable to create adequate reserves against such loans unless the proportion of such loans held in their portfolios fitted the precise provisions of tax law. The effect of this could well be to stunt the growth of these institutions and to depreciate their capacity to meet the housing needs of the people, resulting in an increase in interest rates and frustration of the use of these institutions for the primary purpose for which they were designed.

No study of mortgage loan losses has ever indicated that losses on residential or multifamily income property were less than losses experienced on single-family dwellings. If the capital requirements in the metropolitan area grow and characteristics change, savings and loan associations may well be called upon to provide a number of financing techniques not now even contemplated in multifamily type.

To say that this industry should be precluded from developing such new financing techniques under the penalty of forfeiting its ability to generate needed reserves is an effort to direct the course of a business by tax law. In my judgment, this is bad economics, it is bad financial supervision, and it is bad tax law; and I hope that you will urge your friends in Congress to look into this matter.

I will not say that commercial bankers wrote the savings and loan tax definition into law, but I am certain that they are pleased with it. Investment income and competition are tough enough without the potential harassment generated by zealous Internal Revenue agents.

And this brings me to the next liability item on the balance sheet—competition between savings associations themselves.

Many times I have heard that high rates on savings in our business are the result of competition, not with bankers and other financial institutions but with other savings and loan associations. I cannot help but agree and I cannot help but enter a dissent on this method of pricing the cost of the basic raw material on which this industry operates. We should pay the going market price for money—no more, no less.

How serious is this problem of pricing? As Al Smith used to say, "Let's look at the record": First, commercial banks can pay approximately the same rate as savings and loan associations. However, they have an advantage; they can pay multiple rates or no rates at all for money. Second, commercial banks have broader investment powers than savings associations which are generally limited to real estate lending. So banks' earnings potential is greater. Third, the tax laws tend to favor commercial banks as opposed to savings associations.

Add it all up, and you come to only one conclusion. Our business requires a better method of pricing the cost of savings funds. The National League, which I am proud to represent, believes that supervisory authorities should permit the savings and loan business to pay multiple or variable dividend rates. Long-term money should receive higher rates and the in-and-out funds coming into your institution. Both commercial banks and mutual savings banks are using multiple rates with much success and it is time that we reinstituted this method of operation. Frankly, I think it would help to reduce money costs.

An equally difficult and similar problem to overcome is the practice from time to time of one segment of the savings and loan industry running to Washington for a law or regulation to restrict another part of the industry from doing that which the initiating segment cannot or will not do itself. Here I am not speaking of illegal practices which no one would condone, but practices which do not find universal favor in this industry.

There are numerous examples of the type of restrictions that have been adopted in recent years. Perhaps the most notorious of these are found in the reserve regulations. But isn't it true that many other restrictions were sought by segments of our business? And, quite frankly, have we not reached the point where there should be a moratorium on new regulations?

Recently, the Chairman of the Federal Home Loan Bank Board promised to hold new regulations in 1965 to a minimum. And I think that John Horne should be commended for taking this position at the outset of his administration.

This industry should look with considerable skepticism on any move to press for new law or regulation in the months ahead. We cannot easily turn back the clock on recently adopted regulations but we can certainly let out a howl on any new moves to restrict the operations of this industry.

The final point I wish to underline today on the liability side of our business is the tendency to speak of growth as if it were a sin. Honest American growth is good, and clean. No one in the savings and loan business need apologize for it.

I looked up some statistics the other day in preparing this address. I won't recite them all—because I think that statistics—and averages—cannot only be boring but also misleading.

In examining these figures, I noted that savings and loan associations have grown about tenfold in size over the past 20 years. Two decades ago the business was less than $10 billion in size; now it is over $120 billion. I also noted that most other segments of the economy had grown threefold in the same period. This threefold growth was, of course, and as you would expect, phenomenal in itself. For example, gross public and private debt grew from about $371 billion to more than $1,163 billion. Quite an increase, but still on a percentage basis less than our growth.

Then, I looked at the growth in total mortgage debt; it matched the growth of the savings and loan business—from a level just under $20 billion to more than $200 billion. And then the light came on. It was obvious.

During the depression period, real estate had been hit the hardest by falling prices and declining industrial activity—and took the longest to recover. Of all the industries in the economic mix, real estate really didn't begin to come back until after World War II when it recovered with a bang.

In other words, real estate has only been catching up with the rest of the economy. The growth in mortgage debt—and savings and loan associations—was real; it was sound; and it was important to sustain the economic growth of the Nation.

Now that the postwar housing shortage has passed into history, real estate markets should operate on a more normal basis for some time to come.

Even if there is a revival in homebuilding and construction in the next few years, new competition with banks and others for mortgage loans may very well delay the time when our industry will reach the $200-billion level.

It is clear, therefore, that we have no real choice. So long as other financial institutions have decided to compete with us for mortgage loans, we of necessity must somehow learn to compete with them for loan investments on a total basis. We as an industry must move as quickly as possible into the consumer loan field. We must also educate our leaders in Congress and our supervisory authorities that broader investment powers are necessary to the overall economic and social welfare of the people.

Today—more than ever before—the savings and loan business lives in a new era. No longer can we be satisfied with holding a conventional loan on a home in a good neighborhood. Our modern society requires us to be completely flexible in our lending and savings operations.

We must compete in the marketplace. And, if we are unable to do so, we will follow the fate of the railroads, silent movies, the steamboat, and postal savings.

We will become obsolescent factors in this great American economy because someone else built a better mousetrap.

Many of us are looking forward to the time when this industry will reach the $200-billion level. I contend that unless our institutions are accorded broader investment powers, our growth pattern on a national basis will not even reach recent levels of performance.

In fact, greater commercial bank competition for mortgage loans may very well result in an absolute decline in the size of this business unless we do something about our problem.

The new Federal taxes that have been imposed upon this industry, together with local and State taxes that are now increasingly being levied against thrift institutions raise many questions in my mind concerning the organization of our institutions. As you know, legislation to authorize Federal capital stock savings and loan associations has been introduced in Congress.

I will not go into all of the reasons why this proposal was advanced; some are readily apparent to all of you who manage Federal associations. But I would say that recent regulatory trends at the Federal Home Loan Bank Board, together with the new Federal tax law, makes one pause to consider whether the organizational structure of Federal associations is in tune with the times.

In order to plan future growth, associations must increasingly search out ways to find capital to support that growth in the face of stiff reserve requirements and higher taxation. One method is through the issuance of capital stock or debentures. This whole question requires a more thorough and painstaking examination by all of us and I would urge you to give this most serious study.

I have presented to you our balance sheet as I conceive it—not in the conventional form of dollars and cents—but in a form of pros and cons.

If possible, I would like to leave you with one specific thought. Please keep an open mind on the problems of the savings and loan business. We are living in a new era. New thinking is required. Don't follow the herd on matters of vital importance to you and your association.

Believe me, now that we have passed the $120 billion dollar mark in assets, the competitive stakes are high—and getting higher every day.

Thank you very much.

TRIBUTE TO THE MARYLAND MOTHER OF THE YEAR—MRS. AGNES MULLEN HICKS

Mr. TYDINGS. Mr. President, I rise this morning to do honor to the mothers of our Nation and to one Maryland mother in particular. Few of us stop to think of the myriad jobs a mother does each day. To keep a home and raise children, some of whom even become U.S. Senators, and to prepare the next generation for the task of running this country.

Mrs. Agnes Mullen Hicks, a Towson Md., mother of 5 and a grandmother of 29, was today named the "Maryland Mother of the year." Mrs. Hicks, for all of her 67 years is almost as active as her many young grandchildren.

Educated at Towson High School, she is still an active participant in the parent-teachers' association she helped to found many years ago. She has been president of the Towson Alumni Association off and on since 1932. Her contact and work with students has been praised by Baltimore County educators for imparting a feeling for the culture and character which she herself possesses. Mrs. Hicks has also been active in Catholic Church affairs.

An ardent Democrat, Mrs. Hicks founded the first countywide Women's Democratic Club in Baltimore County and served as its president and toastmistress for many years.

On May 1, Mrs. Hicks will travel to New York for the National Mother of the Year contest. There she will be joined by 50 other women of equal caliber who prove to the country that being "just a housewife" is, indeed, an honorable profession.

THE NATIONAL DEFICIT

Mr. PEARSON. Mr. President, John Gray, president-manager of KLIB Radio, of Liberal, Kans., has illustrated in a most down-to-earth manner the real problem of our national deficit. Because he presents this problem in such a simple, yet intelligent, manner, I ask unanimous consent that the editorial be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EDITORIAL OF JOHN GRAY, PRESIDENT-MANAGER, KLIB RADIO, LIBERAL, KANS., BROADCAST ON FEBRUARY 5, 1965

Look at it this way: If you went into a store and bought a suit or a dress for $94.40 and knew it had cost the store owner $99.70, you would feel you had a real bargain.

But in the back of your mind, wouldn't you wonder what was going to become of that store?

That, in a very simple way, is what the budget presented to Congress proposes. The Federal Government will take in an estimated $94.4 billion, and will spend an estimated $99.7 billion. The difference or deficit is more than $5 billion.

Where does the $5 billion come from? Well, it is borrowed. It is added to the national debt. It means that we once again will be living beyond our means. It means that once again the limit of the debt ceiling will have to be raised, probably in 1966.

We have been doing this, living beyond our national income, more times than we haven't in the past 25 years. So much so that the proposed budget includes an interest payment of $11.6 billion. The interest will be more next year, of course, and more every time the Federal Government spends more than it takes in.

It is no trick to spend more than you make. Anyone can do it, and if he is lucky he only has to pay interest and nothing on the principal. But what happens when the day finally comes when his interest payments exceed his income?

Uncle Sam is now paying out almost one-eighth of his income in interest.

Our editorials are designed to provoke thought. You think about it for a few minutes. You may come to a frightful conclusion.

CHALLENGES IN MEDICAL CARE AND HOSPITALIZATION—ADDRESS BY HON. WILLIAM J. DRIVER

Mr. PASTORE. Mr. President, when the Italian-American War Veterans met in Washington last week they were favored by the appearance of and an address by the Administrator of Veterans' Affairs, the Honorable William J. Driver.

We of the Congress are familiar with and impressed by the character and dedication of this career officer and his concern for our country's veterans. His remarks reflect his sense of responsibility in this very delicate and difficult area.

In tribute to his audience, Mr. Driver spoke of Galileo, the Italian physicist of 400 years ago. I am sure that Galileo would appreciate our modern advances not only in physics but in the physical care of those who risked their lives for this land that was just being explored in Galileo's lifetime.

I shall not attempt to analyze Mr. Driver's talk which is an excellent presentation of the challenges in medical care and hospitalization—the process and progress of change—the closing of the old—the charting of the new.

There are happy chapters such as the gain in our fight on tuberculosis and the doubling of our medical budget in the past decade. I feel that the entire speech is timely and of paramount interest to any of us who fear the hurts and hardships that may lie in times of change.

I am sure all of us can take comfort from this honest and able account of what the Veterans' Administration has in its mind and in its heart.

I ask unanimous consent that Mr. Driver's speech be printed in the RECORD at this point in my remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

TEXT OF REMARKS BY THE HONORABLE WILLIAM J. DRIVER, ADMINISTRATOR OF VETERANS' AFFAIRS, BEFORE A MEETING OF THE ITALIAN-AMERICAN WAR VETERANS, WASHINGTON, D.C., MARCH 12, 1965

It is always a pleasure for me to meet with representatives of this organization, representing as they do, a group that was among the foremost in the proportion of men to answer our country's call during war, and that is among the highest in number of awards for valor on the field of battle.

The courage of the sons of Italy has always been recognized, whether it was courage against barbarians at the time of Rome, or the sometimes more difficult courage involved in the field of the intellect.

Thus, the world is a better place, and the content of Western civilization greatly enriched, by the courageous sons of Italy who discovered new frontiers of knowledge.

Columbus, defying ignorance and fear, literally found a new world.

No men did more to make the modern world than did those whose voyages were on unknown seas of physics, men like Marconi and Fermi—and men like Galileo whose 500th birthday the world joined in celebrating last year.

I am sure that you and all Italian-Americans rejoice that your blood unites you to a man such as Galileo to whom we all owe so much.

I believe that his life is an instructive one, not only for his enormous accomplishments, but as a living example of the difficulties faced by a man who finds that his commitment to truth, carried to its logical conclusion, shakes the foundations of old ways of thinking, and that all too many men, instead of welcoming progress, cling to old ways, ignore the facts, and respond to emotion.

When Galileo proved that the earth moved around the sun, he met with opposition rather than acclaim.

When Galileo proved—by dropping two cannon balls from the Tower of Pisa—that they both fell at the same speed, regardless of differences in weight, he met with opposition rather than acclaim. In fact, I would bet that there are still people today who would expect the heavier ball to fall faster.

When Galileo proved what veterans have learned only too well, that the path of a projectile is a parabola instead of an arc, he met with opposition rather than acclaim.

Galileo's fault in the eyes of his contemporaries, his glory in the eyes of history, is that he followed the dictates of reason. He would have been at home in America where we have a tradition of letting the chips fall where they may.

I mention Galileo today, not only because I want to pause and join with you in honoring his name, but also because his method of approaching a problem is not too far from that we endeavor to use as a standard in the Veterans' Administration.

Galileo went to the facts, rather than to words or allegations about facts, to find his answers. This is essentially what we in the Veterans' Administration do in seeking solutions to our problems.

Today, I want to give you the facts about the changes to be made in the field structure of the Veterans' Administration, to show how we arrived at our conclusion on the basis of facts, and that emotional reactions to these changes have no real basis. There have been a number of major misconceptions about these changes, among which are that they are unprecedented, unnecessary, or somehow show unconcern with the real needs of veterans.

Let's talk about each of these misconceptions in turn, to see what the facts really are, and to determine what conclusions are logical and warranted, and what conclusions are neither.

The first misconception is that this reorganization is somehow unprecedented. Nothing could be further from the truth. If there has been any single, constant factor present in the course of the Veterans' Administration since its inception, and particularly since the end of World War II, that factor is change.

Looking first at our nonmedical programs, it is obvious that we have endeavored to keep in step with changing conditions and changing demands in three ways: By administrative changes; by developing new methods and instruments; and by field consolidations or expansions where needed. These three factors are, of course, interrelated.

Administratively, readjustments of the structure of the Veterans' Administration have been a continual feature throughout the post-World War II period, as demand fluctuated and as we endeavored to incorporate the lessons learned from experience. For example, as early as 1949, the Veterans' Administration abolished 13 branch offices which were then being supervised by Deputy Administrators; in 1953 separate units involved in vocational rehabilitation and education, compensation, pension and loan guarantee were combined in one Department of Veterans' Benefits; and in 1963 there was another major realinement, involving the abolition of a separate Department of Insurance and the creation of a new Department of Data Management. These changes were designed to improve service, and I believe that is just what they did.

Finally, throughout this period there have been expansions and consolidations of our nonmedical field offices as we readjusted to meet the changes in location and degree of demand.

The changes in the VA medical program have, if anything, been more far reaching and constant than those in the nonmedical programs.

Although the Veterans' Administration was fortunate in having many highly skilled and extraordinarily dedicated doctors, nurses and other medical staff, the medical program in the period between World Wars I and II had not fully shared in the general progress of American medicine. This situation was the result of a faulty philosophy of medical administration, not of the doctors who tried to do their best under what at the optimum would be called adverse conditions.

The sum and substance of what was achieved in those critical days at the end of World War II was simply this: that medical decisions should be made primarily on medical grounds, and by the best medical brains in the country.

And that is precisely what was achieved.

With new professional direction, and working closely with the Nation's medical schools, the VA hospital program moved forward vigorously to meet two concurrent challenges. The first and immediate challenge was to its ability to absorb the massive influx of returning veterans who needed and deserved nothing but the finest hospital care. All existing VA hospital space was used in this effort; and additional beds acquired from the Armed Forces or from others. The second phase, still going on, was to assure that our hospitals were the right kind, in the right place, and able to offer the fullest possible spectrum of modern medical care.

As part of this second phase, new facilities were built as rapidly as possible, and old ones closed. The decision to close hospitals was made for a number of cogent reasons, for many of the hospitals under VA control were already obsolete by World War II, and a considerable number of those taken over at the end of the war were uneconomical or in other ways unsuitable. For example, a number were originally constructed for other purposes. Some were old soldier's homes; one was a girls' school; some were formerly hotels; and many were ungainly cantonment type of temporary or semipermanent construction.

And, these stop-gap structures were closed continually throughout the years as new facilities were constructed, and, since 1950, we have closed or transferred title to 19 hospitals.

A report made in 1960 by the National Academy of Sciences-National Research Council Committee on the Survey of Medical Research in the Veterans' Administration stated that: "The task in 1946 was to cast out an old, inferior pattern of medical care and to develop a new and better one." I think that this was accomplished although I also believe that eternal vigilance is the price of accomplishment, and unless such vigilance is continued, there is always the danger of the "old, inferior pattern" gradually creeping back to adulterate a now splendid achievement.

The second misconception is that these changes are somehow unnecessary. Again, a glance at the facts reveals the true situation.

The necessity for readjustment is particularly obvious for the VA medical program. The physical obsolescence of many hospitals has already been mentioned. However, physical obsolescence is but one of many factors considered in the always painful decision to terminate a hospital which, we fully recognize, is often a source of legitimate pride to the community in which it exists.

Other significant factors are the forward march of medical knowledge and the continued migration of the veteran population. For example, and to a large degree as a result of our own research, the number of hospitalized veterans suffering from tuberculosis declined from 17,000 in 1954 to 7,000 in 1964. As a result, we were able to reduce the number of tuberculosis hospitals from 21 in 1955 to but 4 today. And of the 11 hospitals to be closed during 1965, those at Castle Point, N.Y., and the Broadview Branch of Brecksville, Ohio, are other such tuberculosis hospitals. Their closing illustrates the fact that progress in medicine, as in any field, requires the abandonment of antiquated instruments.

Finally, there is the charge that the reorganization somehow reflects an unconcern for veterans and their beneficiaries. Nothing could be more untrue.

I have already indicated that hospitals have been closed continually throughout the years. But this is only a part, the negative part, if you will, of what we have been doing. The positive part consists of a dynamic program of building new facilities where needed, and replacing and modernizing other hospitals. The program of building new and replacement hospitals is now proceeding at an annual rate of approximately $100 million.

In addition, our medical program is now at its highest peak of refinement in history, as seen by the fact that our hospitals are currently treating sick and disabled veterans at an annual rate over 100,000 in excess of the rate 4 years ago, and this upward trend is continuing.

Here are the facts. Here is the basis for judging whether the VA is providing more, or less, service to veterans. And these facts are not hidden away. It doesn't take a Galileo to dig for them, for they are all plainly visible in the record or the President's most recent budget request.

The facts are that the President's budget contains a record request for medical care—an all-time high of $1,177 million. Compare this to where we were 10 years ago with a medical care budget of $530 million. It doesn't take a Galileo to see that we are spending 100 percent more than 10 years ago.

The facts show that the President's budget asks for almost $50 million for medical research. That's 700 percent more than we spent in 1956.

The facts are that we are in the midst of the greatest age of hospital building in history. Between July 1, 1949, and June 30, 1964, the VA actually spent the enormous sum of $1,047 million for new and improved hospitals. Right now, at some stages in the construction pipeline, there are 355 projects totaling an additional $645 million, more than half the total for the earlier and highly productive 15-year period. It doesn't take a Galileo to see that this is a record to be proud of.

The President's budget request will also permit us to add 2 more mental hygiene clinics, an additional blind rehabilitation center, 2 more day-care centers, 20 more hospitals offering treatment for speech problems, emphysema treatment units in 26 hospitals, as well as supporting 13 special heart surgery centers and expanding the 11 chronic kidney disease treatment centers as part of a plan to establish 40 such kidney centers.

And we are doing all this while working on a great new program. For the first time in its history the VA is now providing nursing home type care, and 1,000 such beds will be in operation within 110 days, another thousand added in the fiscal year beginning this July 1, and an additional 2,000 as rapidly as possible thereafter.

The same forward surge that infuses every element of our medical program—and I have mentioned only the highlights—is seen in the nonmedical area.

For example, the new pension law, signed by President Johnson last October 12, has increased rates, increased allowances to aid and attendance cases, and has been a major aid to widows and orphans with the greatest need.

GI insurance has also become more flexible and responsive. The new pension law reopened national service life insurance on a limited basis for 1 year for disabled veterans and also contains a new modified life plan. In addition, national service life insurance was liberalized by the inclusion of the total disability income and waiver of premiums provisions.

Also, during the past 4 years the war orphans program doubled, and will further increase as a result of extension to children of war service connected totally disabled veterans. There are 25,000 now enrolled.

Finally, as a result of the presidentially sponsored 10-percent compensation rate increase, 2 million veterans and 750,000 dependents are receiving higher compensation rates than ever before.

Now some have characterized this as an antiveteran program. I don't quite see how it is possible to come to this conclusion. In fact, I don't quite see how one can avoid the obvious conclusion that benefits for veterans are at a level of quantity and quality—and generosity—never before matched by this country, or any country in the world.

Of course, Galileo couldn't understand how the facts could be so obscured by clouds of emotional words, misconceptions, and misinterpretations either. But he did live in the 16th century, and it would seem that we would all have more respect for hard facts today.

These then are those hard facts. They point to a picture that all friends of veterans can be proud of. I know that I share this pride with you, and I appreciate this opportunity for telling you so.

ADJOURNMENT

Mr. PROXMIRE. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 12 o'clock and 47 minutes p.m.) the Senate adjourned until tomorrow, Thursday, March 18, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 17, 1965:

IN THE MARINE CORPS

The following-named officers of the Marine Corps, when retired, to be placed on the retired list in the grade of lieutenant general in accordance with the provisions of title 10, United States Code, section 5233:

Charles H. Hayes
James P. Berkeley

Having designated, in accordance with the provisions of title 10, United States Code, section 5232, the following-named officers for commands and other duties determined by the President to be within the contemplation of said section, I nominate them for appointment to the grade of lieutenant general while so serving:

Richard C. Mangrum
Alpha L. Bowser

Having designated, under the provisions of title 10, United States Code, section 5231, Vice Adm. Alfred G. Ward, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of admiral while so serving.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 17, 1965:

DEPARTMENT OF STATE

Armin H. Meyer, of Illinois, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Iran.

Dwight J. Porter, of Nebraska, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Lebanon.

UNITED NATIONS

Walter M. Kotschnig, of Maryland, to be the representative of the United States of America to the 21st session of the Economic Commission for Asia and the Far East of the Economic and Social Council of the United Nations.

DEPARTMENT OF COMMERCE

Andrew F. Brimmer, of Pennsylvania, to be an Assistant Secretary of Commerce.

FEDERAL TRADE COMMISSION

Mary Gardiner Jones, of New York, to be a Federal Trade Commissioner for the unexpired term of 7 years from September 26, 1959, to which office she was appointed the last recess of the Senate.

COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Coast and Geodetic Survey:

To be lieutenant

Dee E. Kimbell

To be captains

Lorin F. Woodcock	V. Ralph Sobieralski
Marvin T. Paulson	Lorne G. Taylor

To be commanders

Robert C. Munson	Edwin K. McCaffrey
Gerard E. Haraden	Richard H. Houlder
Kenneth A. MacDonald	

To be lieutenant commanders

Raymond L. Speer	Billy M. Keltner
James G. Grunwell	Melvin J. Umbach
Renworth R. Floyd	Charles H. Nixon
Robert L. Sandquist	J. Austin Yeager
James S. Midgley	John D. Bossler

To be lieutenants

Stephen Z. Bezuk	James J. Lium
Richard H. Allbritton	John W. Carpenter
Frank H. Branca	Ronald K. Brewer
Edward R. Dohrman	Charles G. Bufe
Richard J. De Rycke	Jeffrey G. Carlen
Allan Jenks	David L. Des Jardins, Jr.
Ned C. Austin	

To be lieutenants (junior grade)

Gerald R. Schimke
John D. Boom III

To be ensigns

James M. Wintermyre	Gary A. Eskelin
Karl W. Kieninger, Jr.	Theodore Wyzewski
Karl S. Karinch	Charles R. McIntyre
George C. Chappell	Edward M. Gelb
John P. Vandermeulen	Kenneth F. Burke
	Roger A. Moyer
Oliver R. MacIntosh, Jr.	Claude O. Phipps
	Roger H. Kerley
Michael G. Kenny	Paul M. Hale
Vincent Tabbone	Irving Menessa
William T. McMullen	William M. Noble

U.S. COAST GUARD

The following-named officers of the Coast Guard for promotion to the grade indicated:

To be rear admirals

Capt. Charles (n) Tighe
Capt. Frank V. Helmer

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 17, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., quoted from Ephesians 6: 10: *Finally, my brethren, be strong in the Lord, and in the power of His might.*

Let us pray.

O Thou God of all grace and goodness, inspire us with a greater faith in the practical values of the moral and spiritual forces and influences in our human affairs and in the building of a finer social order.

May we feel that we need the sanction and inspiration of these forces to solve our present problems and that we must yield ourselves to the ideals and principles of that higher brotherly relationship to which Thou art seeking to lead all mankind.

Grant that we may never say that those cardinal virtues of love, of compassion, of justice, and of good will, have failed, but let us confess and admit that we have not really tried them, but that we have found them to be difficult and therefore have laid them aside.

Help us to see that if the blessings of the Spirit and the Great Society are to be a fact and a reality in our beloved country, then we must have the will and the courage, the resolution and the determination to accept and follow the ways of the Master lest we be dismayed and disappointed and continue to live in a nation whose future is uncertain and insecure.

Hear us, in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 974. An act to amend the Manpower Development and Training Act of 1962, as amended, and for other purposes.

The message also announced that the Vice President, pursuant to Senate Concurrent Resolution No. 2, 89th Congress, had appointed Mr. MONRONEY, Mr. SPARKMAN, Mr. METCALF, Mr. MUNDT, Mr. CASE, and Mr. BOGGS as members, on the part of the Senate, of the Joint Committee on the Organization of the Congress.

ST. PATRICK'S DAY

Mr. BURKE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BURKE. Mr. Speaker, it has been the custom here in the House for our very esteemed colleague and beloved Member from the State of Ohio, the Honorable MICHAEL KIRWAN, to make the St. Patrick announcement. Because of a death in his family he is unable to be here today.

I should like to announce to the House that these shamrocks have been flown over here from Ireland by the Irish Airlines and sent up here by the Irish Embassy with all good wishes.

The flowers being presented to the Members and to the attachés of the Congress were presented by the Ancient Order of Hibernians.

Mr. Speaker, today we delight to do honor to Ireland and the Irish people, in the name of the great Apostle of Ireland, St. Patrick. Every now and then you see it announced as a great discovery that St. Patrick was actually not Irish. Of course he was not born in Ireland—he came to Ireland, a missionary bishop commissioned by the Pope, in order to convert the pagan land to Christianity. But he had been brought to Ireland as a boy, having been captured by pirates who raided his town and household, and had grown to young manhood as a slave in Ireland. After his extraordinary escape from this slavery, he heard and obeyed a mysterious call that came to him during his studies at the monastery of the Lerins—Irish voices, saying: "Holy youth, we pray thee to come and walk amongst us as before." After his ordination, and after returning for a time to his home in Britain, he received the Pope's commission to go with two companions and undertake the conversion of Ireland. For the rest of his long life, Patrick lived and labored in Ireland. Such was his love for the Irish people, and such is their love for his holy memory, that St. Patrick is today effectively identified with Ireland.

The fervent Christian faith of Ireland, the learning and culture of Ireland, the undying passion of the Irish people for individual freedom and national independence, are all in the legacy Ireland owes to the great saint who walked her green hills and conversed with her pagan chieftains of long ago. St. Patrick never forgot the bitterness of his slavery, and of the slaughter and violence that accompanied his capture—but the memory of that bitterness was sweetened for him by his wholehearted affection for the people who had held him in slavery, and his concern for them when, at the hands of the British chieftain, Coroticus, some of them suffered a pirate raid and enslavement resembling his own. Brought up in slavery as he was, St. Patrick suffered educational handicaps, as he humbly confesses in his autobiography, both in Latin and in Irish. But he had the eloquence of the heart, and his words, in those writings of his that have come down to us, and in his quoted sayings, carry through the centuries the conviction of his fervent love of God and of man, his patient humility, his stubbornness in the pursuit of the right, and his flaming courage. Today the world blesses his memory.

Throughout the free world the shamrock is a true symbol of everything that Ireland stands for so I would like to include this little poem by Ted O'Riordan entitled "A Little Sprig of Shamrock":

A little sprig of shamrock
Is a symbol we hold dear
A little sprig of shamrock
When we wear it every year;
A little sprig of shamrock
So many things convey
As it travels out across the world
To be worn on St. Patrick's Day.

And speaking about the shamrock this quotation was given to me by a true daughter of Erin:

It lies the whole year at our feet,
To live but one day in our hearts.

Mr. Speaker, at this point, I would like to include three timely poems for this occasion sent to me by a constituent who writes under the pen name of Miss Anna Elizabeth. The titles are: "St. Patrick's White Shamrocks"; "Lord, What Does Segregation Mean"; and "To Our Colored Brethren."

The poems follow:

ST. PATRICK'S WHITE SHAMROCKS

St. Patrick What did you mean
On your Paddy's day of green
To send the whitest Shamrocks
That we have ever seen.
Sure the snow that came to greet us
Was patterned three in one
As big as all Out Glory
A Trinity in One.
Oh you didn't have to tell us
Of how you fit up there
That if you so wish
You may change the bill of fare.
Well now as long as you're so busy
Changing green to snowy white
Maybe you could ask the Lord
To do the same for us.
That while we wear our green so proudly
We daughters of Great Fame
Let us not forget the One who came
And touched the mossy Sod
And lo! Three hearts on single stem burst forth
A shamrock green was born.
Of it we're so very happy
Almost foolish in our joy
Who can blame us Patrick
With three Kings on Ireland's shore
For as Father speaks to Son on High
And Holy Spirit sends His plight
You answered to His call
And darkened Chasms filled to Life.

LORD, WHAT DOES SEGREGATION MEAN

Thou art One with the Father
And we One with Thee.
Did our Blessed Queen
A colored Uncle esteem?
Is there a strain in Thee
If this be, haven't we?
The Blessed Sacrament, Thy Flesh indeed we receive
Was this hidden, because we're too blind to see
And water and wine combine—
The Beautiful blend of your Love,
Do this in commemoration of Me.
The Blessed Trinity, Three in One
Yet All Divinity.
Is this the answer that we need
To stop the strife that shouldn't be
That we be One with Thee now
And for all Eternity.

TO OUR COLORED BRETHREN

God has many flowers in His Garden
Of darker hue are you than we
Seems to me it would have been quite boring
To see only lilies in the field.
God loves the Children of His creation
Would that we were more like He
Now if you ask for understanding
And we turn and walk away
Pray for us, we need your help
You're nearer to God than we
When you precede us into Heaven
Pray for us the Light to see
That our dark souls may whiter be
Lest we hear the sad words spoken
Our Colored people are the chosen
There isn't any room up here for thee.

Mr. McCORMACK. Mr. Speaker, never has the spirit of St. Patrick been more needed in the world than it is today. In place of the jealous fears that pervade our international relations, in place of the selfish timidity that marks our human encounters, in place of lawless violence and calculated injustice, we need the generous courage, the plain speaking and generous action of the great apostle of Ireland.

The story of young Patrick's coming to Ireland is familiar to all—how he was captured and enslaved, how he made his providential escape, and how he returned to devote his life to the salvation and well-being of the people who had kept him in slavery. Less well known, but particularly significant in our own day, is the story of Bishop Patrick's letter to the pirate chieftain, Coroticus. This man, leader of a seafaring band based upon the coasts of Britain, had led a raid upon Ireland, slaughtering many of St. Patrick's newly baptized converts, and dragging away many others into captivity. In reading the letter of protest, denunciation, and appeal, which the outraged bishop then sent to the pirate, we are reminded of the sufferings of pious Christians today, who are struck down and jailed, beaten, and even killed, by men professing to be Christians. In anger and in grief, St. Patrick wrote to Coroticus:

I know not what I should the rather mourn, whether those who are slain, or those whom they captured, or those whom the Devil grievously ensnared. In everlasting punishment they will become slaves of hell along with him; for verily whosoever committeth sin is a bondservant of sin, and is called a son of the Devil. (John VIII, 34.)

Later on in the letter, Patrick points out to Coroticus how he himself, having escaped from slavery among the barbarians of Ireland, had returned to a voluntary servitude among them, for the love of God:

Was it without God—

He cries out—

or according to the flesh, that I came to Ireland? Who compelled me? I am bound in the Spirit not to see any one of my kinsfolk. Is it from me that springs that godly compassion which I exercise toward that nation who once took me captive and made havoc of the menservants and maidservants of my father's house? I was freeborn according to the flesh; I am born of a father who was a decurion; but I sold my noble rank—I blush not to state it, nor am I sorry—for the profit of others; in short, I am a slave in Christ to a foreign nation for the unspeakable glory of the eternal life which is in Christ Jesus our Lord.

Lamenting over the mistreatment of the members of his flock, and protesting that they are scorned on account of their being Irish, he mingles with his own words apt scriptural quotations:

Therefore in sadness and grief shall I cry aloud: O most lovely and beloved brethren, and sons whom I begot in Christ—I cannot reckon them—what shall I do for you? I am not worthy to come to the aid of either God or men. The wickedness of the wicked hath prevailed against us. We are become as it were strangers. Perchance they do not believe that we receive one baptism, and that we have one God and Father. It is in their eyes a disgraceful thing that we were born in Ireland. As he saith, Have ye got one God? Why do ye, each one, forsake his neighbor?

In this spirit of love for our fellow men, and of passion for justice, and of unselfish devotion to God, we must look upon our world today, and try to work with others of good will to right its wrongs, to remedy its ills, and to induce men and women to live in peace and amity. Surely we may with confidence call upon St. Patrick to ask the blessing of God upon this noble and righteous cause.

St. Patrick of the warm heart and practical intelligence is indeed an appropriate patron for today's struggle for peace and justice, in the relations between man and man, between race and race, between faith and faith, between nation and nation. Patrick consistently made the Christian distinction between the sin and the sinner, hating the sin and loving the sinner. Similarly, in the traditions of the pagan Irish, he found beauty and value, and loved and strove to preserve the ancient native culture. It is due chiefly to the example and encouragement of St. Patrick that so many relics of the pre-Christian culture of Ireland are preserved in the Christian Ireland of today. It is no wonder, therefore, that the heroic figure of St. Patrick has been adopted into the legendary lore of Ireland, and that he figures in many a tale of the heroes whose lives must have ended centuries before his

coming. Similarly, the heroism and patriotism of ancient Ireland have, through St. Patrick and his teachings, become indistinguishably blended with the Christianity of modern Ireland, so that the character of the nation and its people stands before the world today as an example of independence and generosity. In Ireland, and in numerous Americans who cherish their Irish inheritance, we find the origin of that affectionate regard for suffering people, that generous willingness to help, and that passionate fury against injustice and oppression, that we most deeply value in the democratic spirit. This spirit, akin to that of St. Patrick, is the soul of our American way of life.

CALL OF THE HOUSE

Mr. DEVINE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 36]

Burton, Calif.	Kirwan	Roncalio
Cederberg	Kluczynski	Roosevelt
Conyers	Martin, Mass.	Roybal
Dingell	May	Senner
Dorn	Mize	Stephens
Edwards, Ala.	Morton	Sweeney
Flood	Powell	Toll
Fogarty	Reid, N.Y.	Whitten
Friedel	Resnick	Widnall
Hagan, Ga.	Rivers, S.C.	Wright
Harris	Robison	
Jones, Ala.	Ronan	

The SPEAKER. On this rollcall, 396 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ST. PATRICK'S DAY

Mr. GRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GRAY. Mr. Speaker, it is a pleasure for me to wish you and all of our colleagues a very healthy and happy St. Patrick's Day today. As we affix the letter "O" in front of our names for this one day of the year, we realize what great contributions the people of Irish extraction have made to our great country.

Our distinguished Speaker is a good example.

Mr. Speaker, I want to point out that the green name tags we are wearing today, and ceramic Irish shamrocks, were furnished by our friend, Hank Hendley, an assistant doorkeeper. Mr. Hendley has been doing this type of personal deed every year for the past 10 years or so. I want to say thanks on behalf of our colleagues. Again I want to wish everyone a happy and healthy St. Patrick's Day.

ST. PATRICK'S DAY

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, once again I am happy to join our colleagues in taking note of this great day that is being celebrated throughout the world.

Whether we join my coreligionists in eating hamentaschen in our celebration of Purim, which this year happens to come on the same day as St. Patrick's Day, or we join in wearing of the green in tribute to our Irish friends who are celebrating St. Patrick's Day, we join together as brothers. We are either sons of Erin or the sons of Aaron. It is only the spelling that makes the difference. Today we join together truly as brothers. Let us make merry together and praise God for the opportunity.

PATENT OFFICE FEES

Mr. O'NEILL of Massachusetts. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 275, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 275

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4185) to fix the fees payable to the Patent Office, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL of Massachusetts. Mr. Speaker, at the conclusion of my remarks, I will yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON].

Mr. Speaker, in my district, today is a holiday, back in Boston, the Cambridge-Somerville area. We honor the fact that back in Revolutionary times the Revolutionists drove the British out of Boston. It happened on a good St. Patrick's Day, so consequently we have an opportunity to have a holiday up there. There are those in my area who thoroughly believe it would be sacrilegious to work on good St. Patrick's Day.

I take note that the Speaker is using a shillelagh as the emblem of authority, and believe me, it is the emblem of order.

It is a common salutation of one neighbor to another in my area to say, "Top of the morning to you," and he replies, "The rest of the day to you." So I say that to all of you, "Top of the morning."

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL of Massachusetts. I yield to the gentleman from Iowa.

Mr. GROSS. It is to the credit of the Irish that they drove the British out of Boston, but they got right back into the U.S. Treasury with both feet.

Mr. O'NEILL of Massachusetts. We have love in our heart for all today.

I am more than fortunate to have a high school group visiting me from the district which I represent here in the Congress of the United States. It is the sixth annual visit of a senior class from the Notre Dame High School of Cambridge, Mass. Headed by Sister Celine Helena, the principal, who is a dear and devoted nun, it is a privilege to meet with and to entertain such a splendid group of young Americans. They are exceptionally charming and courteous and I want the Congress to know how sincerely proud I am that they do me the honor to let me know when they are coming so that I may meet with them. I especially, at this time, would like noted in the records of the Congress my congratulations to the Notre Dame High School for their capturing the Catholic championships.

Notre Dame High School very kindly sent a card to me which arrived in the morning mail. I shall read it, and I voice the very same sentiment to all of you:

'Tis a time for great rejoicin'
For each lad and each colleen,
A time for makin' wishes,
And the wearin' o' the green,
So here's an Irish shamrock
For you to wear today,
And a wish that it will bring much joy
And Irish luck your way.

Rev. Marcel Lajoie, Sister Celine Helena, S.U.S.C., Sister Gabrielle Maria, S.U.S.C., Mr. Frank Abbott, Mrs. Joseph Paquet, Robert Frechette, David Gilreath, Donald Gilreath, John Keating, Raymond Leger, Paul Ouellette, Christopher Mullane, Kevin O'Grady, Paul Starek.

Celine Blais, Dianne Beauchemin, Janet Boucher, Ann Broussard, Jeanette Broussard, Helen Callahan, Norma Callahan, Alice Desrosiers, Mary Deveney.

Jacqueline Goulet, Aline Leger, Marcia Mahoney, Anne Marie Martin, Jean Messier, Linda Mikolaitis, Carol Lovely, Marie Morneault, Barbara Melanson.

Anne Nowlan, Marianne O'Neill, Ann Marie Robichaud, Joyce Wagner, Marie Wagner, Laurene Lawrence, Marie Pessotti.

Mr. Speaker, House Resolution 275 provides for consideration of H.R. 4185, a bill to fix the fees payable to the Patent Office, and for other purposes. The resolution provides an open rule with 2 hours of general debate.

The purpose of H.R. 4185 is to increase fees payable to the Patent Office so that a reasonable part of Patent Office costs may be recovered. In so doing, the bill also seeks to encourage better prosecution of applications, fix payments at more convenient times, and reduce the volume of unused patents.

The fees payable to the U.S. Patent Office are prescribed by statute and have not been overhauled in the past 33 years.

In that period, the ratio of Patent Office income to Patent Office expenses has fallen drastically. Where once fee income substantially covered operating costs, it now recovers only about 30 percent of such costs.

In the last 20 years there has occurred an increasing divergence between income and operating costs, attributable primarily to the skyrocketing of costs in the past 15 years. Material submitted by the Patent Office in connection with recent hearings indicates that this problem is not peculiar to the United States. Using the average costs of 1930–39 as a base, the operating costs of our Patent Office have multiplied fivefold.

Other Government fees have increased, but those of the Patent Office remain pegged at the 1932 level. It is obvious that a substantial increase in Patent Office income is long overdue.

Mr. Speaker, I urge the adoption of House Resolution 275.

REQUEST FOR COMMITTEE ON THE JUDICIARY TO SIT WHILE THE HOUSE IS IN SESSION

Mr. ALBERT. Mr. Speaker, will the gentleman from Massachusetts yield for a unanimous-consent request?

Mr. O'NEILL of Massachusetts. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from New York [Mr. CELLER], I ask unanimous consent that the Committee on the Judiciary may sit while the House is in session during the balance of this week and next week.

Mr. WILLIAMS and Mr. WAGGONNER objected.

Mr. ALBERT. Would the gentleman object if the request was confined to the balance of this week?

Mr. WILLIAMS. Yes, I object to the request.

Mr. ALBERT. Mr. Speaker, would the gentleman object if the request were confined to the committee sitting while the House is in session today?

Mr. WILLIAMS. I object, Mr. Speaker.

The SPEAKER. Objection is heard.

PATENT OFFICE FEES

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield to the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON of Illinois. Mr. Speaker, Members of the House will recall that this is virtually the same bill that was reported and which we debated the better part of one afternoon a year ago last January. I should perhaps correct that statement to say that it does contain one change in that instead of a blanket provision for maintenance fees, there is an optional arrangement whereby the grantee of a patent could by payment of a $75 alternative fee gain a complete remission of the maintenance fees that are otherwise ordered in this bill.

I might say, Mr. Speaker, that no hearings have been conducted during this session of the Congress on this bill. My objection to the legislation, just as it was last year, is because of the maintenance fees that this proposal would seek to incorporate into our patent system.

I would certainly say at the outset, I have great sympathy for the objectives of the subcommittee chaired by the distinguished gentleman from Louisiana [Mr. WILLIS]. I have great sympathy for the objective they are seeking to attain, namely, increasing the ratio between fee income of the Patent Office and the operating expenses of that Office. But likewise I have great sympathy for those who urge, as I think they did last year, that this is not in line with section 5 of the independent offices appropriation bill of, I believe, 1954, that where there are beneficiaries under our Federal system and they can be especially identified as recipients of special services on the part of the Federal Government insofar as possible, they ought to pay for the services that are rendered. I am not adverse to the implementation of that principle.

I would point out that with the introduction of the maintenance fee, however, we will be injecting something entirely new and something entirely different into our patent system and it is something that has not met by and large, as I understand it, and as my communications would indicate, with the approval of the patent bar of this country.

I am informed, for example, that the American Patent Law Association, which is a group of more than 2,500 lawyers, took a referendum on this very subject as to whether or not maintenance fees ought to be charged. They found that their members were opposed to maintenance fees and the vote was 948 to 157.

Just this morning before coming here to the floor of the House, and this might be of particular interest to my colleagues from Illinois whom I see here on the floor of the House, I received a wire from the acting president of the Patent Law Association of the city of Chicago which is composed of approximately 500 Illinois patent attorneys.

That wire reads as follows:

CHICAGO, ILL.,
March 16, 1965.

ILLINOIS DELEGATION,
Care of Hon. JOHN B. ANDERSON,
House of Representatives,
Washington, D.C.:

Because it imposes hardships on individual inventors and for reasons stated in resolutions relating to Willis bill, H.R. 8190, submitted to the Patents Committee last year the Chicago Patent Law Association composed of approximately 500 Illinois attorneys opposes passage of Willis bill, H.R. 4185.

SIDNEY NEUMAN,
Acting President.

I repeat, Mr. Speaker and Members of the House, that this bill has not found favor among the patent bar of this country.

It is said, of course, that this maintenance fee is going to accomplish some useful purposes, that it is going to help clear out the files. I believe that is the expression used. It is said there is some deadwood in the form of patents which are on file but yet are not used for any particular purpose.

On the other hand, we find that the associations representing industry in this country are opposed to maintenance fees in principle. At least I have been so informed, and I believe the record will bear me out.

Some Members who perhaps are not familiar with this objection I am raising will ask: What is a maintenance fee? What difference does it make?

Very simply stated, a maintenance fee would provide that an inventor, on the fifth anniversary of the issuance of his patent, would have to pay a fee of $50 to the U.S. Patent Office to keep that patent in full force and effect. If he did not pay the fee within the 6-month grace period, the patent would lapse. After 9 years had gone by, on the ninth anniversary of the issuance of the patent another fee would become due and payable. Then he would have to pay $100 to keep the patent in full force and effect. After 13 years had gone by, a third maintenance fee of $150 would become due and payable or else he would lose his patent rights which otherwise, of course, exist under our law for 17 years.

So there is a total of $300 which would be charged to the inventor under the maintenance-fee system to keep his patent in full force and effect. This, I remind Members, would be in addition to the increased fees both for the issuance of the patent and for the initiation of the application under H.R. 4185.

Mr. Speaker, it can be shown that this proposal will work to the disadvantage of the small inventor. The big business corporation can afford to pay such maintenance fees. It will not make any difference to them to pay $50, $100, or $150. But the small inventor or the small businessman is going to have some difficulty.

I do not see present on the floor at this time the gentleman from New York [Mr. HORTON], but the gentleman from New York pointed out in the debate last year—and this was not refuted in the RECORD—there was a small corporation in his district, with something like 375 plant patents, which would, by the end of 13 years, have to pay more than $100,000 in maintenance fees under the language of the bill we had before us last year.

I submit that this will be a hardship on the small businessman or the small inventor.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the distinguished gentleman from Louisiana, the chairman of the subcommittee.

Mr. WILLIS. We must face the fact that the purpose of the bill is to capture more funds for the operation of the Patent Office. There is no doubt about that.

The maintenance fee is a novel approach, but the purpose of the maintenance fee, I must say to the gentleman, is the exact reverse of what he has said.

Granted that we must have more revenues for the Patent Office, then the question is at what point to impose a charge. It is clear that the rich or the powerful, the corporate patent applicant, would indeed have the money to pay an additional charge from the word "go" upon the issuance of the patent. The idea of imposing the maintenance fee was to favor the small patent applicant. In other words, instead of hav-

ing to pay an additional sum at the beginning, he would have 5 years in which to make up his mind whether his patent was profitable, and he could drop it. If he wanted to keep it, at that point he would pay $50 additional, and then another amount at the end of the 9th year, and another amount at the end of 13 years. The idea of that was to give a small patent owner an opportunity to make up his mind whether it was worth while to keep his patent, not imposing the additional fee to begin with.

Now, however, in order to overcome objections to the deferred payment or maintenance fee, in order to meet this very point, this should remove the objection of the gentleman: This year the bill provides that a patent applicant has an option. In other words, he can pay $75 at the time of notice of allowance in lieu of all maintenance fees. That should satisfy, I submit, most of the objections to the deferred payment. Or, at his option, the patentee can wait and pay the additional fees after 5, 9, and 13 years. This should dispose of the entire objection.

Mr. ANDERSON of Illinois. I appreciate the contribution of the gentleman from Louisiana and the fact that this year he has, so to speak, thrown us a bone in the form of this $75 optional payment. I would prefer to have a flat payment of $75 in the bill and forget about maintenance fees.

Mr. ROONEY of New York. Mr. Speaker, will the distinguished gentleman from Illinois yield at that point?

Mr. ANDERSON of Illinois. I yield to the gentleman from New York.

Mr. ROONEY of New York. I wonder if the gentleman from Illinois is familiar with how much it presently costs to print one of these patents at the Government Printing Office.

Mr. ANDERSON of Illinois. I am familiar with the total cost of the operation of the Office. It is something like $26 million a year, I believe.

Mr. ROONEY of New York. The gentleman is talking about the $75 fee. I would just like to call his attention to the fact that before my subcommittee on appropriations for the Patent Office in the past few days we had testimony from the Commissioner of Patents that it cost $79 merely for the paper and printing costs to print a patent at the Government Printing Office. I should like to call the gentleman's attention also to further testimony to the effect that 75 percent of the patent applicants and those to whom patents are granted are substantial corporations rather than the little inventor to which he has made reference.

Mr. ANDERSON of Illinois. I have no objection, in reply to the gentleman from New York, to increasing the fees under this bill. As matter of fact, when the bill is read for amendment under the 5-minute rule I would propose to go the subcommittee one better and instead of an increase from $50 on the initial issuance fee to $75, to cover the very point you make, I would propose to increase the issuance fee to $100 rather than $75 and eliminate the maintenance fee. Let me point out to the gentleman this is originally in the European concept the idea that you should have a maintenance fee which is in effect a tax on an inventor. I have been told, for example, in Germany over the lifetime of the patent a man can be compelled to pay as much as $2,400 in order to maintain his patent in force. This is what I am afraid can grow out of a maintenance fee system. I am very, very desirous of keeping that principle out of our patent system. I have no objection to raising some of these fees to make the Office more self-supporting than it is at the present time. I do recognize the point that the gentleman makes.

Mr. ROONEY of New York. Mr. Speaker, will the gentleman kindly yield to me further?

Mr. ANDERSON of Illinois. I yield to the gentleman from New York.

Mr. ROONEY of New York. I should also like to call the gentleman's attention to the fact that in connection with this matter of patent fees the appropriations for the Patent Office have tripled between fiscal year 1956 and the coming year, fiscal year 1966.

Mr. ANDERSON of Illinois. I think the gentleman is correct. As a matter of fact, I thought it had gone up something like five times, according to the committee report, since 1932 and the ratio of fee income to operating expenses has gone down. I am in favor, as is the gentleman from New York, of doing something about it and in revising the fees now, but my objection is in principle and in fact to the maintenance fee system. That is what I propose to cut out at the appropriate time by offering an amendment to this bill.

Mr. POFF. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Virginia.

Mr. POFF. May I say I recognize the utter sincerity of the comments that the gentleman has made. I know his motives are entirely worthy. I must say, however, as one of the members of the subcommittee which brought this legislation to the floor, that our purpose was, as stated by the gentleman from Louisiana in incorporating the maintenance fee system. Now, if we have failed to achieve that purpose, it is because we did not understand we would fail by the method we employed. May I inquire if the gentleman agrees with me that it should be the policy of our patent laws to stimulate and encourage inventive genius in this country?

Mr. ANDERSON of Illinois. I think under the Constitution the Congress of the United States is enjoined to do the very thing that the gentleman from Virginia mentions.

Mr. POFF. Yes. I thank the gentleman. If that be true—and it is true—does the gentleman feel conceptually this policy would be better carried out by increasing the initial issuance fee rather than installing a maintenance fee system?

Mr. ANDERSON of Illinois. Of course, in answer to the gentleman from Virginia, you have already done that in the committee bill. The present issuance fee is about $30 and you would propose under the bill as it is now written to increase that to $50. I would say just increase it another $25, and increase the final issuance fee another $25. I do not think this is going to be a disincentive to even the young and struggling and poor inventor. But once we incorporate and engraft onto our patent system this maintenance fee which is, after all, a tax on inventors, this is going to be a convenient tool and a vehicle in succeeding Congresses to raise these maintenance fees and we may get to the point where they have gotten in Germany, as I have been told, where a man may have to pay as much as $2,400 during the lifetime of his patent in order to keep it valid.

Mr. POFF. If the actuaries felt that the additional increase which the gentleman would sponsor in lieu of the maintenance fee system would not improve the fiscal posture of the Office sufficiently, would the gentleman be willing to accept the maintenance fee system?

Mr. ANDERSON of Illinois. No, I would not. I think that even more important than this matter of revenue is the principle that is involved. Let me say in further answer to the gentleman from Virginia that I have a statement from one responsible member of the patent bar that if we would eliminate the maintenance fees altogether under this bill and add $75 to the final issuance fee, instead of raising only $2.8 million initially, as you do under this bill, and another $4 million in 9 years when these maintenance fees are collected, you would raise $3.9 million from the very beginning and at the same time you would have these other advantages accruing, that you would eliminate what I think is a very bad principle, you would eliminate all of the added expense.

I should have mentioned, too, that in Europe, for example, patent lawyers collect some rather sizable fees from inventors just for taking care of their patents, notifying them of these maintenance fees, and taking care of the actual payment of them. So that by the time you get through, the average inventor is going to have to pay a lot more than just the payment of a simple maintenance fee. He is going to be asking for legal advice and legal counsel.

Now, Mr. Speaker, to mention one other thing. Under the bill we are told he can waive the fee; the gentleman from Louisiana [Mr. WILLIS] mentioned that. He can waive the fee if during the preceding 5-year period he has not had any gross benefit. What does gross benefit mean? He probably would have to do what the average small inventor would do; he would run to a lawyer to find out what it meant and then he would be charged a fee for that advice. So he is not going to save any money under this bill.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Speaker, I think the gentleman is making a very important statement and a very valid criticism of this legislation. I do not know whether the gentleman has brought out

the point that after a patent is granted and after licenses are granted under a patent there are substantial amounts of Federal income taxes which result from the exercise of rights under the patent. These go into the general revenue till and are expended for general government purposes.

The Patent Office, of course, does not get credit for that revenue which is produced from the granting of a patent. This is an aspect of the entire institution of patents which should certainly be considered; that is, the revenue which enters the private economy and in the form of general taxes that is produced from the granting of patents under our existing laws.

Mr. ANDERSON of Illinois. Mr. Speaker, I thank the gentleman from Illinois for his contribution.

Mr. Speaker, I had not intended to consume this much time under the rule. I wanted to give the committee what time it has under the rule to discuss the bill. But I merely wanted to alert Members of the House, as we did a year ago, that at the appropriate time we shall offer an amendment to eliminate these maintenance fees and even as we had the support, and I might say the very considerable support of Members on both sides of the aisle for that proposition a year ago, I should hope that even so this afternoon we may be successful in striking that portion of the bill and then go on to pass what I think would be a good bill.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I have no further requests for time. I reserve the balance of my time.

THE DAILY DIGEST OF THE CONGRESSIONAL RECORD

Mr. O'NEILL of Massachusetts. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I have been asked by my good friend the Doorkeeper of the House of Representatives, the Honorable William M. Miller, to call to the attention of the Members of the House that this is the 18th birthday of the Daily Digest, that great piece of information that appears in the back of the CONGRESSIONAL RECORD every day. It first came into being in 1947. I am sure that we Members who read the Journal and RECORD with great diligence have found that this is one thing that we follow daily.

Further, Mr. Speaker, I would advise every new Member of Congress that he would well educate himself in his duties if he were to read the Daily Digest.

Mr. Speaker, the Daily Digest first came into being on March 17, 1947.

PATENT OFFICE FEES

Mr. O'NEILL of Massachusetts. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PATENT OFFICE FEES

Mr. WILLIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4185) to fix the fees payable to the Patent Office, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4185 with Mr. NIX in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Louisiana [Mr. WILLIS] will be recognized for 1 hour and the gentleman from Ohio [Mr. MCCULLOCH] will be recognized for 1 hour.

The Chair recognizes the gentleman from Louisiana [Mr. WILLIS].

Mr. WILLIS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the purpose of H.R. 4185 is to increase fees in the Patent Office so that a reasonable part of the Patent Office costs may be recovered. In so doing the bill also seeks to encourage better prosecution of applications, reducing the backlog and so on, and to fix payments at more convenient times.

Mr. Chairman, the fees payable to the Patent Office are prescribed by statute. They have not been overhauled in the past 33 years. In that period the ratio of Patent Office income to Patent Office expenses has fallen drastically. For instance, the Office used to be almost self-sufficient, but now the fees only bring in 30 percent of the cost involved in operating the Office.

Mr. Chairman, enactment of this bill would ultimately permit the recovery through fees of approximately 75 percent of Patent Office costs.

As has been pointed out, this bill passed the House last year. It was reported out unanimously by the House Committee on the Judiciary. We now are going over the same ground again that we plowed last year. Incidentally, the amendment which it has been announced will be offered was offered last year and was defeated.

The need for this legislation is obvious. The present schedule of fees was put on the statute books 33 years ago. There have been no increases since. During the past 33 years, as we all know, the costs of all governmental services have gone up.

The price of the postage stamp has gone up, court costs have gone up, the cost of living has gone up and, incidentally, the fees of attorneys practicing before the Patent Office have probably tripled or quadrupled in the last 33 years.

Let me give you a few examples of what this bill does. The purpose of this bill is to raise funds for the Patent Office. The bill deals only in terms of figures, charges. There is no change in substantive law made in this bill. No rights under the patent law are increased or diminished under the bill. This is simply a Patent Office fee increase bill.

For example, the application fee under this bill is proposed to be increased from $30 to $50, the cost of copies of patents will be increased from 25 cents to 50 cents, recording assignments of patents will be increased to $20, and so on.

At the present time the various fees paid in processing a patent bring in about $9 million. Under this bill the total returns through fees will be something like $24 million, in round figures.

The bill proposed this year is the same bill that we acted upon last year with this principal change: As was pointed out a while ago, we propose this year to provide an alternative to the maintenance fee in the form of a $75 flat fee payable at the time of notice of allowance. The bill also provides, however, for the small patent owners, who are not sure whether their invention will bring any returns or money, and who prefer to rely on deferred payment.

Since we want to produce more income for the Patent Office, one of the increases is the maintenance fee approach. Thus, after a patent owner has had experience under his patent for 5 years, he can at that stage drop it, or to maintain it he can pay $50 more. Then after 9 years he must pay to maintain his patent $100 more. At the end of 13 years he must pay $150 more. This device, this system of raising more money for the Patent Office, resulted in some objections last year. We faced it, we debated the issue, and the House approved the maintenance fee approach. But in order to try to make the bill more acceptable to all, this year we offer an alternative to the maintenance fee approach. Thus the bill therefore provides that instead of paying the maintenance fee over the life of the patent, if a patent owner is sure of himself, is sure of his patent, and he has the money, he can pay $75 upon notice of allowance, instead of paying the maintenance fee. That should remove objections that we heard last year. But I see some objections still not removed. So we will be called upon, as it has been announced, to vote on an amendment, the same amendment that we voted on last year, to delete the maintenance provision.

We did our best to remove objections, but we are again faced with that question this year. Last year, even without this alternative of paying in advance, even without that advantage, the House defeated the amendment to strike out the maintenance provision. It seems to me that with this option of paying the $75 initially, the House should again reject the proposed amendment.

In conclusion, I want to commend the Patent Subcommittee, for bringing this bill out. I assure you this bill is absolutely bipartisan.

This bill has been proposed for many, many years. It was approved by Patent Commissioner Watson under a Republican administration. It was advocated for several years by Patent Commissioner Ladd. This year again it is advo-

cated by Patent Commissioner Brenner. So this is a bipartisan approach.

We have heard today again that a lot of people say, "We are for you, but." This is a "yes, but" bill. "We are for you, but" this, that, and the other. For instance, I have a "yes, but" letter here, from a very large, responsible firm in Washington. This is what they tell me. This is dated March 5:

I have now had an opportunity to read the report on the administration's Patent Office fee bill. While I disagree with some of its conclusions, particularly those involving maintenance fees, I would like to congratulate you and your staff upon the general excellence of the presentation of a report.

So we are congratulated for having done a good job. It is admitted we ought to have an increase, and I am sorry that objections are still heard; well, that is fine. We will meet them when the amendment is proposed. I do hope the amendment will be rejected.

Mr. POFF. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, as the distinguished gentleman from Louisiana has stated, this is a bipartisan bill. To me that means more than saying it is a nonpartisan bill. It is bipartisan because it has had the active, positive, affirmative efforts of all Members on both sides of the aisle not only in this year but in years past.

I am sure I could not enlarge substantively or otherwise improve upon the dissertation that my subcommittee chairman has made. I want to state very clearly that I do support the bill in its present form, and with all proper respect to my distinguished colleague, the gentleman from Illinois [Mr. ANDERSON], I will be constrained to oppose the amendment I understand he will offer.

It is perhaps best that in the operation of our Federal Government today the cost burden of its many activities which are deemed to be for the well-being of the general public must be paid for out of the broad base of Treasury revenue. However, I am of the opinion that when a Government agency provides special services to special identifiable beneficiaries, these beneficiaries should, when practical, pay at least a reasonable fee for those benefits in order that that agency might be self-supporting to the fullest extent possible. Our Patent Office is an excellent example of an agency which provides special benefits to identifiable recipients who should be required to pay a fair share of the maintenance of the system which protects their monetarily valuable interests. The present patent fee schedule was adopted during the 72d Congress in 1932. At that time the income provided under this system equaled about 90 percent of the cost of maintaining the Patent Office, thus allowing the operation to be substantially self-supporting. Unfortunately, however, during the intervening years there has been a widening divergence between income and expenditures due to drastic increases in basic costs. With no increases in fees, the combined forces of decreasing purchasing power of the dollar and steady increases in wage and printing outlays have reduced the Patent Office cost recovery figure from 90 percent in 1932 to a mere 30 percent today—a financially irresponsible situation which should no longer be tolerated.

In addition to the fact that the bill will allow the Patent Office eventually to collect approximately 75 percent of its operating costs, H.R. 4185 will provide a fair and reasonable solution to other problems which exist in our patent system. The bill does not provide a mere across-the-board increase in fees. Rather, where possible, the fees are assessed in such a manner that those who use the patent system will be encouraged to make more efficient and considered use of it. At the same time, however, the fees are distributed in such a way that unproven patents are not subject to the same costs as those which are successful.

In reviewing some of the more important features of the bill, the changes in the filing fee are noteworthy. While the basic filing fee is increased from $30, to $50, and a fee of $2 is assessed on all claims in excess of 10, a new concept is introduced in the form of a $10 fee for each independent claim in excess of one. Without a doubt, independent claims which stand alone in defining an invention are generally far less comprehensible and far more costly to process than a dependent claim—which incorporates by reference the previous claim which it modifies. Certainly, the fee for this type of claim should reflect the increased burden on the Patent Office. Thus, by discouraging the use of unnecessary, prolix claims, as well as the cumbersome and nebulous independent claims, these provisions will help make interpretation and understanding of patent applications much easier not only for the examiners, but for our judges and members of the bar.

Item 2 of section 1 of the bill, while increasing the issue fee to $75, would set a charge of $2 for each sheet of drawing and $10 for each printed page of specification. While the latter fees will not create such a burden that essential specifications and drawings would be eliminated from applications, they will discourage unnecessary illustrations and verbiage. Thus, is addition to providing a more realistic printing cost recovery, this provision would remove the existing inequitable situation whereby an inventor who describes his invention in a short application is charged the same fee as one who files a so-called jumbo patent of several hundred pages in length.

The $20 fee, in part 10 of section 1, for the recording of assignments, is, quite frankly, an income-producing device rather than a mere effort to balance the fee for this service with the Patent Office's expense. However, it is important to observe that this charge provides income which would otherwise have to be derived through increases in initial fees charged to those who have not been able yet to determine whether their invention will even be deemed worthy enough to be assigned to another. It does not seem unreasonable, therefore, to shift a small portion of the composite expenses of the patent system to an assignee whose valuable interest in the successful invention will be protected through the facilities of the Patent Office.

Ideally, patents should issue promptly in order that disclosure of new technology can be made to the public as soon as possible. But, unfortunately, a long-standing problem which has confronted the Patent Office is the great time gap between the filing of the application and the issuance of the patent. Hopefully, this bill will do much to encourage better practice before the Patent Office and thereby further the progress already made in this direction.

One of the unnecessarily delaying aspects of our present law is seen in the provision that an applicant may take up to 6 months to decide whether his patent should issue or be abandoned. Section 4 of H.R. 4185, however, will specifically accelerate this period by providing that the patent will issue within 3 months after written notice of allowance of the application, providing the proper fees have been paid, or be regarded as abandoned. Thus, new information and products will be offered to the public sooner to provide not only a better way of life for all, but a steppingstone to further advances in this Nation's technology and standard of living.

The bill's introduction of maintenance fees into the patent law is, no doubt, the most important as well as controversial feature of this legislation. In order to keep a patent in force after it issues, a patentee must pay a fee of $50 at the end of the 5th year, $100 at the end of the 9th year, and a final fee of $150, at the end of the 13th year of the life of the patent.

Although failure to pay the fee within the 6 months grace period after the due date will result in a lapsing of the patent, the bill provides that the inventor may request deferral of the fee if, prior to the due date, the patent has not earned value in an amount at least equal to the maintenance fee or fees which are then due. It is only at the end of the 13th year, when the inventor ought to have a good idea as to whether his patent is worth continuing, that a decision must be made either to pay the fees then due or to allow the patent to lapse.

In response to the objections raised against the maintenance fees, the committee, this year, has provided an option. If the applicant or assignee so elects at or before the time of payment of the issue fee, he may pay, in addition to the issue fee, another $75 which shall be deemed a complete satisfaction of the maintenance fee requirement over the entire life of the patent.

Maintenance fees should do much to encourage patentees to discard unused patents which clog the Patent Office, or those who are merely "defensive" in nature. Since the purpose of a defensive patent is accomplished upon its issuance, no harm would result if they were terminated upon nonpayment of a maintenance fee.

It is true that the maintenance fees place a greater part of the burden of sustaining the Patent Office on those patents which are successful. This, however, is certainly a valid policy to follow. For even if we were to disregard

the public benefit to be derived by easing the financial requirements on the patentee of an untried invention—thereby providing the least possible burden so as not to weaken his incentive to invent—the maintenance fee system follows the sound theory that the beneficiary of a patent which has issued should bear a part of the cost of the system which made this benefit possible and which continues to safeguard his interest against all others.

This legislation will not only remove from the taxpayer the burden of subsidizing the specific beneficiaries of the patent system, but it will apportion the costs among those beneficiaries in a manner which will encourage and establish practical and efficient methods of procedure before the Patent Office without creating a prohibitive financial barrier to any part of the inventive capacity of the United States.

Mr. WILLIS. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, I have asked for this time in order that I might ask the gentleman from Louisiana in charge of this bill today a question with regard to the legislation. The question is this: As the bill has been revised and is being presented today, is it not what might be considered a user tax for services which could be compared with a sales tax and which is made to be charged to those people who actually use the services of the Patent Office?

Mr. WILLIS. It is an effort to try to make the Patent Office a little bit more self-sufficient. This would still not bring in all the money that is required to run the Patent Office. We will still have to have appropriations for the Patent Office from the regular appropriating committees. A great deal of Government services are free, but you have to pay for some of the services. As a matter of fact, I do not suppose there is any agency that is self-sufficient, that brings in all the revenues they need except, perhaps, the Internal Revenue Department and even then we run in the red now and then.

Mr. WAGGONNER. I thank the gentleman.

Mr. WILLIS. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut [Mr. GIAIMO].

Mr. GIAIMO. Mr. Chairman, I would like to ask the chairman of the committee if in determining the increase in cost in order to make the Patent Office more self-sustaining whether or not you gave consideration to increasing the filing and the application costs rather than to initiate this new maintenance fee system?

Mr. WILLIS. Oh, yes. Those services, for filing and application costs, have been increased. But it was felt by the Patent Office over the years that even more money than that was needed. So we struck on the maintenance-fee provision with the alternate that I mentioned a while ago.

Mr. GIAIMO. Specifically, did your committee consider the suggestions in some of the bills that have been filed either in this body or in the other body to increase even more the existing filing fees and issuance fees rather than to initiate this new maintenance fee?

Mr. WILLIS. The original issue fee is increased under this bill from $30 to $75. Of course, we could make that $75 fee a $500 fee. But we honestly felt, and so did the Patent Office, that you would stir up a greater hornet's nest if we did that than to impose a maintenance fee for the life of the patent extending to the end of the use of the patent. We did consider that and this proposal has come down to us from the last four Commissioners. I am sorry I cannot remember the names of all the Commissioners, but I do remember Bob Watson and Mr. Ladd and Mr. Brenner. As I say, I am sorry I do not remember the names of all the Commissioners, but this has been recommended by the Patent Commissioners as the way to do it and it has been recommended all during these past years.

Mr. GIAIMO. I commend the chairman of the committee for bringing out this bill this year with the change as compared to last year in that there is an option not to pay the maintenance fee but to pay a flat $75 fee. I think this is an improvement over the bill last year. However, I do agree with the gentleman from Illinois [Mr. ANDERSON] in the feeling that this imposition of this new maintenance fee is a tax on the small inventors, the small inventive geniuses in our Nation who have helped us to bring forth new products and have helped to make our Nation the great and productive Nation that it is. I am not concerned about the fact that 75 percent apparently of patents are held by large corporations, if that is the figure I heard mentioned earlier. Of course, they can afford to pay such a fee and they will pay it. But my concern is that by the initiation and imposition of a new maintenance fee system, it will freeze out the small inventor and the poor inventor so that they are not going to have the kind of protection on their patents that we want them to have.

For that reason I feel I must support the amendment of the gentleman from Illinois, and hope the House will see fit to adopt it.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Louisiana.

Mr. WILLIS. There is no compulsion. There is no imposition of anything, really, under this bill in the shape of the maintenance feature. One has an election. One can elect to maintain his patent. He is free to do that. Moreover, he will have an option to pay or to elect later on. There is no compulsory maintenance fee; it is elective.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I am glad to yield to the gentleman from Texas.

Mr. CASEY. The gentleman appears to have studied the bill thoroughly. At first blush it looks to me like there will be some difficulty in determining when a patent has expired. It looks as though there will be a lot of bookkeeping and a lot of searching, under the postponement of the payment of a fee. Does the gentleman believe that will work a hardship, with respect to someone searching the records to find out whether a patent has expired or not?

Mr. GIAIMO. I believe there will be a great deal of hardship in searching the records. This has been brought out before, in the testimony. This is perhaps one of the reasons why the costs have been going up so much.

Mr. POFF. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman, I thank the distinguished gentleman for yielding me time.

Nobody likes to come to the floor of the House to ask for additional fee payments for Government services, any more than anyone likes to come to the floor to ask for additional taxes. Yet, almost every Member of this body hastens to tell his constituents that the Government should put its housekeeping features on a near pay-as-you-go basis.

This legislation does not seek even to do that. This legislation falls far short of that, because this legislation recognizes many, many equities in favor of the patent owner and especially of the small patent owner which should not require him to pay for the full cost of services he receives.

I should like to suggest that if the Judiciary Committee were to adopt the suggestion of the distinguished gentleman from Connecticut and increase the filing and issue fees over what the Judiciary Committee suggests, then really a hornet's nest, as the gentleman from Louisiana put it, would be stirred up far beyond what has been the reaction to the suggestion about maintenance fees. An increase in filing and issue fees would be chiefly burdensome on the small patent owner rather than the larger patent owner.

Mr. Chairman, this legislation, which was recommended by the Secretary of Commerce, marks the latest in a long series of efforts to bring Patent Office fees into more reasonable relationship with the cost of administering the Patent Office.

Patent Office fees are fixed by statute. The last significant change in these fees was made in 1932. The 1932 fee increases brought the fee income of the Patent Office up to substantial parity with its operating costs. Since then, however, while fees have remained static, costs have risen tremendously. Today, the Patent Office recovers only about 30 percent of its costs. Enactment of H.R. 4185, as recommended by the Commissioner of Patents and the Secretary of Commerce, would bring recovery through fees up to about 75 percent of costs.

The bill would increase fee income of the Patent Office from $8.9 million to $24.1 million, a gain of approximately $15 million. Against an estimated cost of operation for fiscal 1965 of $31.6 million, this would increase the percentage recovery from fees from 28.2 percent to 76.4 percent.

The principle underlying the bill as expressed by the Bureau of the Budget in connection with a measure proposed

by the administration in the 87th Congress is as follows:

In the conduct of their various activities many Federal agencies are required to provide certain services, supply products, or authorize the use of public resources which convey special benefits to identifiable recipients above and beyond those which accrue to the public at large. In fairness to the taxpayer, who carries the major burden of support of Federal activities, the Government has adopted the policy that the recipient of these special benefits should pay a reasonable charge for the service or product received or for the resource used.

The Congress gave statutory expression to this basic principle in title V of the Independent Offices Appropriation Act of 1952 (5 U.S.C. 140) which establishes as an objective that services rendered to special beneficiaries by Federal agencies should be self-sustaining to the fullest extent possible. It is our opinion that the patent system does provide such a special benefit to identifiable recipients—i.e., the inventors, applicants, and holders of patents—and that accordingly these beneficiaries should bear a fair share of the cost of the system's support. The monetary value of rights acquired through the patent system is often very large. A large subsidy to the system is not necessary to protect the public. In fact, the bill seeks only to restore the well-established principle that the patent system should be substantially self-supporting by providing for fees which are commensurate with current needs.

Fundamentally the bill does five things:

First. It increases patent and trademark fees generally.

Second. It favors simple, as against complex, formulation of claims.

Third. It changes the time payment of issue fees, reducing the period for their payment from 6 months to 3 months after allowance.

Fourth. It clarifies the validity of claims in dependent form, and

Fifth. It provides, through so-called maintenance fees, for deferred payment of a portion of the total fees.

The maintenance fee provision calls for payment of $50 after 5 years; $100 after 9 years; and $150 after 13 years. Payment of the first two installments may be deferred if the patent has not produced income to the inventor-owner—but all maintenance fees become finally payable after 13 years or the patent terminates. In a laudable effort to meet the objections to maintenance fees, the present bill, for the first time, permits an applicant to pay $75 in lieu of all maintenance fees.

In the 87th Congress, H.R. 10966 and S. 2225—similar bills—were reported favorably but did not reach the floor. In January 1964, H.R. 8190, 88th Congress passed the House but the measure died in the Senate.

Mr. Chairman, there is the broadest recognition of the need for fee increases of approximately the magnitude of those which this bill would provide. The subcommittee was aware of the fact that although the general principle supporting fee increases of this magnitude is widely accepted, there is some dissent with respect to some aspects of the measure.

For example, in past years there has been some objection on principle to the provisions for maintenance fees. In past years the subcommittee, while recognizing the sincerity with which these objections were raised, nevertheless approved the principle of maintenance fees because they enable the private inventor to defer a portion of the cost of obtaining the patent until a time when he would be better able to appraise the possibilities for exploiting the patent commercially. Moreover, the present bill, by affording an optional alternative flat fee of $75 in lieu of any maintenance fee has, in my opinion, met the objections to maintenance fees more than halfway.

Other objections are basically minor in nature and it would seem to be the best policy to permit the Patent Office to indicate the proportions in which the costs of its operation should be distributed among the different functions for which fees are charged. No one is better qualified to do this than the Patent Commissioner himself.

Mr. Chairman, on this problem of maintenance fees, which I will agree is one that has caused the most controversy, and I am sure there are two sides to it, the Judiciary Committee felt it had no choice if it was to find an equitable solution to the problem of bringing the fee income into reasonable proportion of the costs of the Office.

On the merits of the maintenance fee, it should be clear that the patent owner is protected. First, payment may be deferred if the patent has not produced income to the owner. It only becomes payable after 13 years, at which time it ought to be reasonably clear as to whether the patent will develop in such a way that it will be of financial benefit to its owners. Second, the owner has the option of paying $75 in lieu of any maintenance fee. This is $25 more than the increase in filing and issue fees suggested by those members in opposition to the maintenance fee. There is not too much difference in the actual burden.

Mr. Chairman, our committee has wrestled with this problem. We do not like asking for any additional fees, but we do have a responsibility to the taxpayers and the public as a whole just as we have a responsibility to the inventors and the patent bar. We think we have weighed all of these competing claims very carefully and come up with a proposition that is about as evenly and fairly balanced as it is possible for legislators to do.

Mr. POFF. Mr. Chairman, calling attention to the fact that this is a committee composed of lawyers, and the majority side has consumed less than 15 minutes and the minority side less than 11 minutes, I should like to say that I have no further requests for time and yield back the balance of my time.

Mr. WILLIS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 4185

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the items numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, respectively, in subsection (a) of section 41, title 35, United States Code, are amended to read as follows:

"1. On filing each application for an original patent, except in design cases, $50; in addition, on filing or on presentation at any other time, $10 for each claim in independent form which is in excess of one, and $2 for each claim (whether independent or dependent) which is in excess of ten. Errors in payment of the additional fees may be rectified in accordance with regulations of the Commissioner.

"2. For issuing each original or reissue patent, except in design cases, $75; in addition, $10 for each page (or portion thereof) of specification as printed, and $2 for each sheet of drawing.

"3. In design cases:

"a. On filing each design application, $20.

"b. On issuing each design patent: For three years and six months, $10; for seven years, $20; and for fourteen years, $30.

"4. On filing each application for the reissue of a patent, $50; in addition, on filing or on presentation at any other time, $10 for each claim in independent form which is in excess of the number of independent claims of the original patent, and $2 for each claim (whether independent or dependent) which is in excess of ten and also in excess of the number of claims of the original patent. Errors in payment of the additional fees may be rectified in accordance with regulations of the Commissioner.

"5. On filing each disclaimer, $15.

"6. On appeal for the first time from the examiner to the Board of Appeals, $25; in addition, on filing a brief in support of the appeal, $50.

"7. On filing each petition for the revival of an abandoned application for a patent or for the delayed payment of the fee for issuing each patent, $15.

"8. For certificate under section 255 or under section 256 of this title, $15.

"9. As available and if in print: For uncertified printed copies of specifications and drawings of patents (except design patents), 50 cents per copy; for design patents, 20 cents per copy; the Commissioner may establish a charge not to exceed $1 per copy for patents in excess of twenty-five pages of drawings and specifications and for plant patents printed in color; special rates for libraries specified in section 13 of this title, $50 for patents issued in one year. The Commissioner may, without charge, provide applicants with copies of specifications and drawings of patents when referred to in a notice under section 132.

"10. For recording every assignment, agreement, or other paper relating to the property in a patent or application, $20; where the document relates to more than one patent or application, $3 for each additional item."

SEC. 2. Section 41 of title 35, United States Code, is further amended by adding the following subsection:

"(c) The fees prescribed by or under this section shall apply to any other Government department or agency, or officer thereof, except that the Commissioner may waive the payment of any fee for services or materials in cases of occasional or incidental requests by a Government department or agency, or officer thereof."

SEC. 3. Section 31 of the Act approved July 5, 1946 (ch. 540, 60 Stat. 427; U.S.C., title 15, sec. 1113), as amended, is amended to read as follows:

"(a) The following fees shall be paid to the Patent Office under this Act:

"1. On filing each original application for registration of a mark in each class, $35.

"2. On filing each application for renewal in each class, $25; and on filing each application for renewal in each class after

expiration of the registration, an additional fee of $5.

"3. On filing an affidavit under section 8(a) or section 8(b) for each class, $10.

"4. On filing each petition for the revival of an abandoned application, $15.

"5. On filing opposition or application for cancellation for each class, $25.

"6. On appeal from the examiner in charge of the registration of marks to the Trademark Trial and Appeal Board for each class, $25.

"7. For issuance of a new certificate of registration following change of ownership of a mark or correction of a registrant's mistake, $15.

"8. For certificate of correction of registrant's mistake or amendment after registration, $15.

"9. For certifying in any case, $1.

"10. For filing each disclaimer after registration, $15.

"11. For printed copy of registered mark, 20 cents.

"12. For recording every assignment, agreement, or other paper relating to the property in a registration or application, $20; where the document relates to more than one application or registration, $3 for each additional item.

"13. On filing notice of claim of benefits of this Act for a mark to be published under section 12(c) hereof, $10.

"(b) The Commissioner may establish charges for copies of records, publications, or services furnished by the Patent Office, not specified above.

"(c) The Commissioner may refund any sum paid by mistake or in excess."

SEC. 4. Section 151 of title 35, United States Code, is amended to read as follows:

"§ 151. Issue of patent

"If it appears that applicant is entitled to a patent under the law, a written notice of allowance of the application shall be given or mailed to the applicant. The notice shall specify a sum, constituting the issue fee or a portion thereof, which shall be paid within three months thereafter.

"Upon payment of this sum the patent shall issue, but if payment is not timely made, the application shall be regarded as abandoned.

"Any remaining balance of the issue fee shall be paid within three months from the sending of a notice thereof and, if not paid, the patent shall lapse at the termination of this three-month period.

"If any payment required by this section is not timely made, but is submitted with the fee for delayed payment within three months after the due date and sufficient cause is shown for the late payment, it may be accepted by the Commissioner as though no abandonment or lapse had ever occurred."

SEC. 5. Section 154 of title 35, United States Code, is amended by inserting the words "subject to the payment of issue and maintenance fees as provided for in this title," after the words "seventeen years,".

SEC. 6. Title 35, United States Code, is amended by adding the following new section after section 154:

"§ 155. Maintenance fees

"(a) During the term of a patent, other than for a design, the following fees shall be due:

"(1) a first maintenance fee on or before the fifth anniversary of the issue date of the patent;

"(2) a second maintenance fee on or before the ninth anniversary of the issue date of the patent; and

"(3) a third maintenance fee on or before the thirteenth anniversary of the issue date of the patent.

In the case of a reissue patent the times specified herein shall run from the date of the original patent.

"(b) A grace period of six months will be allowed in which to pay any maintenance fee, provided it is accompanied by the fee prescribed for delayed payment. When a response is not received to the notice provided by subsection (e) of this section, a subsequent notice shall be sent approximately sixty days after the due date of any maintenance fee.

"(c) The first and second maintenance fees may be deferred in accordance with subsection (f) of this section.

"(d) A patent will terminate on the due date for any maintenance fee unless, as provided for in this section, the fee due (including any fees previously deferred) is paid or a statement in accordance with subsection (f) of this section requesting deferment is filed. Such termination or lapsing shall be without prejudice to rights existing under any other patent.

"(e) Notice of the requirement for the payment of the maintenance fees and the filing of statements in compliance with this section shall be attached to or be embodied in the patent. Approximately thirty days before a maintenance fee is due, the Commissioner shall send an initial notice thereof to the patentee and all other parties having an interest of record at the addresses last furnished to the Patent Office. Irrespective of any other provision of this section, a maintenance fee may be paid within thirty days after the date of such initial notice.

"(f) Any inventor to whom a patent issued (or his heirs) and who owns the patent may within six months of the fifth anniversary of the issue date of the patent by a statement to the Commissioner request deferment of the first maintenance fee if the gross benefit received by the inventor or any other party having or having had any interest in the subject matter of the patent, from, under, or by virtue of the patent or from the manufacture, use, or sale of the invention, was less in value than the amount of the fee, and the statement so specifies. The fee shall thereupon be deferred until the time the second maintenance fee is due and shall be paid in addition to the second maintenance fee.

"Any inventor to whom a patent issued (or his heirs) and who owns the patent may within six months of the ninth anniversary of the issue date of the patent by a statement to the Commissioner request deferment of the second maintenance fee (and further deferment of the first maintenance fee if such fee has been deferred) if the gross benefit received by the inventor or any other party having or having had any interest in the subject matter of the patent during the preceding four years, from, under, or by virtue of the patent or from the manufacture, use, or sale of the invention, was less in value than the amount of the second fee, and the statement so specifies. The second fee, or the first and second fees, as the case may be, shall thereupon be deferred until the time the third maintenance fee is due and shall be paid in addition to the third maintenance fee and with the same result if not paid. No deferment of any of the fees beyond the thirteenth anniversary of the issue date of the patent shall be permitted and the patent will terminate at the end of the thirteenth anniversary of the issue date unless all maintenance fees are paid in accordance with the provisions of this section.

"(g) An applicant or his assignee may elect, on or before the time of payment of the sum specified in the notice of allowance provided in section 151 of this chapter, to pay a fee of $75 and such payment shall constitute a complete satisfaction of the maintenance fees provided for in this section."

SEC. 7. The analysis of chapter 14 of title 35, United States Code, immediately preceding section 151, is amended to read as follows:

"151. Issue of patent.
"152. Issue of patent to assignee.
"153. How issued.
"154. Contents and term of patent.
"155. Maintenance of fees."

SEC. 8. Subsection (a) of section 41 of title 35, United States Code, is further amended by adding the following:

"12. For maintaining a patent (other than for a design) in force:

"a. beyond the fifth anniversary of the issue date of the patent, $50;

"b. beyond the ninth anniversary of the issue date of the patent, $100; and

"c. beyond the thirteenth anniversary of the issue date of the patent, $150.

"13. For delayed payment of maintenance fee, $25."

SEC. 9. (a) This Act shall take effect three months after its enactment.

(b) Items 1, 3, and 4 of section 41(a) of title 35, United States Code, as amended by section 1 of this Act, do not apply in further proceedings in applications filed prior to the effective date of this Act.

(c) Item 2 of section 41(a), as amended by section 1 of this Act, and sections 4, 6, and 8 of this Act do not apply in cases in which the notice of allowance of the application was sent, or in which a patent issued, prior to the effective date; and, in such cases, the fee due is the fee specified in this title prior to the effective date of this Act.

(d) Item 3 of section 31 of the Trademark Act, as amended by section 3 of this Act, applies only in the case of registrations issued and registrations published under the provisions of section 12(c) of the Trademark Act on or after the effective date of this Act.

SEC. 10. Section 266 of title 35, United States Code, is repealed.

The chapter analysis of chapter 27 of title 35, United States Code, is amended by striking out the following item:

"266. Issue of patents without fees to Government employees."

SEC. 11. Section 112 of title 35, United States Code, is amended by adding to the second paragraph thereof the following sentence: "A claim may be written in independent or dependent form, and if in dependent form, it shall be construed to include all the limitations of the claim incorporated by reference into the dependent claim."

SEC. 12. Section 282 of title 35, United States Code, is amended by deletion of the first paragraph thereof and substituting therefor the following paragraph:

"A patent shall be presumed valid. Each claim of a patent (whether in independent or dependent form) shall be presumed valid independently of the validity of other claims; dependent claims shall be presumed valid even though dependent upon an invalid claim. The burden of establishing invalidity of a patent or any claim thereof shall rest on the party asserting it."

Mr. WILLIS (interrupting the reading of the bill). Mr. Chairman, I move that further reading of the bill be dispensed with and that the bill be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

AMENDMENT OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. ANDERSON of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON of Illinois: In section 1, on page 1, line 7, strike out "$50" and in lieu thereof insert "$75"; and on page 2, line 4, strike out "$75" and in lieu thereof insert "$100".

In section 5, on page 6, line 16, strike out the words "and maintenance".

Beginning with line 18, on page 6, strike out all of section 6 through line 23 on page 9.

On page 10, strike out all of section 7.

On page 10, strike out all of section 8.

On page 10, line 15, renumber "SEC. 9" as "SEC. 6" and on page 11, line 1, of said section, strike out the words "sections 4, 6, and 8" and in lieu thereof insert the words "section 4".

(Renumber following sections accordingly.)

Mr. ANDERSON of Illinois. Mr. Chairman, I make no apology for disturbing the tranquillity of the debate this afternoon by rising to oppose at least in part what has been described as a bipartisan bill. For I note in the concluding paragraph of the committee's own report on this bill that they say the following:

> With respect to the precise detail and method by which increased Patent Office income should be augmented, there is, of course, room for diversity of opinion.

I bring to you that diversity of opinion with these amendments I have offered. I might say in simple summary for the benefit of the Members of the House who may have come in since I spoke earlier this afternoon under the rule that these amendments taken en bloc are identical with the bill that has already been introduced in the other body by the junior Senator from Maryland [Mr. TYDINGS].

The amendments would increase the original issue fee or application fee to $75; they would increase the final issuance fee to $100; and then they would strike out all the sections of the bill as they relate to maintenance fees.

Mr. Chairman, I repeat what I said earlier. I think that particularly under the Constitution of the United States this House of Representatives has a very peculiar responsibility with respect to this entire matter of inventors and with respect to our patent system.

Mr. Chairman, I now read from the Constitution itself, article I, section 8, which states as follows: "To promote the Progress of Science and useful Arts, by security for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries."

Mr. Chairman, we ought to be very careful that we do not do something through the enactment of this legislation which would serve as a disincentive to those innumerable small inventors who down through the years have given of their genius and the product of their brainpower and who have helped to make this Nation the great industrial nation which it is.

Mr. Chairman, it has been pointed out and I now take it as an example, the invention of power steering. It laid dormant in the Patent Office of the United States for something like 30 years until finally it came out and was put into use.

Mr. Chairman, we do not want even a little skimpy $50 or $100 or $150 maintenance fee to discourage some inventor from maintaining a patent that could be a useful one.

Mr. Chairman, I do not feel that when I come to the well of the House, as has been alluded to by an earlier speaker, that I am coming to you insincerely and talking out of both sides of my mouth about economy in Government.

This amendment, which proposes to raise the original issue fee and application fees, if adopted, would raise as much as under the maintenance fee system. I think at the same time you are going to accomplish the purpose of putting the Patent Office on a sounder financial basis, and I wholly subscribe to that motive, without risking some of the other real inherent disadvantages that lie in the system of maintenance fees.

Mr. Chairman, it was mentioned earlier this afternoon, that under this bill the Patent Office on the 5th-year anniversary of a patent would send out a notice to the list of inventors who have patents on file which would otherwise lapse. Then at the end of the 9-year period, they would send additional notices and also at the end of the 13-year period.

Mr. Chairman, there is a provision in here for a grace period. There is a provision to the effect that if the patentee does not respond to the first notice he is to get another notice to pay the fee. We must, of course, bear in mind the further work, the bureaucracy and the mechanical work that is going to have to go on and which has to take place if we are going to set up this system of notifying people of these payments that are due during the course of this 13-year period.

Mr. Chairman, I doubt very much that by the time we have added up all the added costs involved in this bill we will save very much money and streamline and make more efficient the operation of the Patent Office.

Mr. Chairman, I wonder how many here have taken the time, as I have done, to read some of the testimony given on this bill at earlier hearings in prior years. Very much to my regret there were not any hearings on this bill this year; on a bill so important to the small inventors and the Patent Bar and the whole country at large, protecting the rights of small businessmen and small inventors.

Mr. Chairman, I hope very much when the time comes the members of the committee will join me and join the gentleman from Connecticut and others and will support this amendment to cut out maintenance fees and eliminate what I think would introduce a very new and novel and dangerous feature into our patent system.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Texas.

Mr. CASEY. Is not most of the expense and cost generated in filing a patent at the time of the original filing where provision is made in this bill to raise the fees?

Mr. ANDERSON of Illinois. Yes, I think there has been a lot of talk, or there was last year anyway, not so much this afternoon since we have all been blessedly brief in our comments, as to how this would eliminate deadwood in Patent Office files. However, a lapsed patent will remain in the files as a piece of paper which is, after all, the tangible evidence of a patent. A former Assistant Commissioner of the Patent Office has testified that very little would be accomplished in the way of "shaking-out" Patent Office files by adopting a system of maintenance fees.

Mr. WILLIS. Mr. Chairman, I rise in opposition to the amendment.

I have listened to the proponent of this amendment and very honestly, I cannot follow his reasoning.

Mr. Chairman, reference has been made to the small inventor, but this amendment is a big man's amendment. It is a lawyer's amendment. It is not an inventor's amendment. This amendment is against the interests of the small inventor.

The purpose of the bill in deferring the payment of part of the fees until after the patent is issued is to give the inventor an opportunity to know whether he can recoup his investment. This purpose would be frustrated by tacking on a large initial fee. The purpose is to give the little man a chance to pay the additional fees on a deferred basis.

What the amendment does is to impose a larger flat fee upon the issuance of the patent and in the initial stages. I repeat, I cannot help but look upon this amendment as a big man's amendment, as a lawyer's amendment. It is not a small inventor's amendment by any means. It penalizes him. It proposes payment of a large fee initially which would be a burden on the small patent inventor. The big corporations do not mind this amendment. They do not mind paying $100 for an issuing fee. But the small inventor often may not afford to pay this increased amount.

This amendment would impose an undue burden on the small inventor. It is a lawyer's, not an inventor's, amendment. It is a big man's amendment, not a small man's amendment.

We went through all of this last year, and I ask that this amendment again be defeated.

Mr. McCLORY. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, in addition to the statement that has been made by my colleague from Illinois [Mr. ANDERSON], I want to point out an additional fact or two. First, I want to join in what he has said to the committee. I should like to point out, in addition, that while the amount of the maintenance fees may not be so substantial, there will also be lawyers' fees, and service fees for recordkeeping, with which every inventor and the lawyer representing him must contend with. The recordkeeping expenses of today's taxation and Government regulations constitute one of the great expenses of doing business.

I am informed by a responsible patent lawyer, whose opinion I respect, that the recordkeeping expenses of these maintenance fees will total more than the amount of the maintenance fees themselves. That is based on the experience we all have as taxpayers, as businessmen, and the experience which has been encountered in other countries where these maintenance fees are now in force.

Mr. Chairman, it is my understanding that the various Patent Law Associations have been practically unanimous in their opposition to establishment of "maintenance fees" or taxes as called for in the present bill, H.R. 4185. The maintenance fees are, in effect, taxes.

Insofar as the position of the Patent Office is concerned, there appears to be no justification for this additional assessment against the patentees. There is no action which the Patent Office must take in order to maintain patents in force. Once a patent is granted, the matter is beyond the jurisdiction of the Commissioner of Patents. The patent runs its normal 17-year life and then expires.

The present proposal is merely a device to pick up additional income. However, the additional income which will come to the Patent Office bears no relation to the expenses of the Patent Office in the prosecution of the patent application. If it is contended that Patent Office "searches" are rendered more expensive or more burdensome because of the numerous patents which lie relatively dormant in the Patent Office, it would seem appropriate to adjust the fees for such "searches" or to speed up the adoption of modern methods which can reduce the expense of this operation.

Mr. Chairman, the experience in other countries, where annual taxes and other periodic burdens are imposed, should be sufficient for us to reject this part of the bill and to act favorably on the amendment of the gentleman from Illinois, Mr. ANDERSON, in support of an increased filing fee. I am convinced that this amendment is in the best interests of the inventors—large and small, individual and corporate—whose valuable services in developing new articles and processes should be encouraged.

Mr. Chairman, I am very anxious to support this bill on final passage. However, I feel strongly that the amendment now under consideration should be adopted. It will make this a far better bill and help to serve the principal ends which the Patent Office desires and which the Judiciary Committee of this House is attempting to provide.

Mr. CASEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is a shame that we have so few Members on the floor on such a bill as this, which I think is very important. A lot of people today think that this is an argument between the little man and the big man on this. What you are fixing to do if you adopt this bill is to further complicate the Patent Office.

The distinguished chairman of the subcommittee said if we adopt the pending amendment we will squeeze out the little man. I do not think a $25 increase in the filing and issuance cost in lieu of a maintenance fee, is going to squeeze out any little man. If he has a meritorious idea he will be able to find that additional $25. They are trying to get the Patent Office out of the red by increasing the fees, but you are adding to the maintenance of the Office. If any of you have read this bill, there is a maintenance fee, but most of the work is already done when the patent is filed and when it is issued. Then they are going to charge you a maintenance fee. If someone does not want to pay that maintenance fee the first 5 years, he can give notice and postpone it until the 9th year. Then he will have to pay both. If he does not pay both, the patent is dropped and the Government receives nothing. The Patent Office will have to send him a notice and keep someone in the Office to send out the notice as to due dates of the fee. Why not simplify it instead of complicating it? If they need an additional $25, let us put the additional $25 on it in the beginning and then keep from hiring somebody to check on it through the years. Under the bill if a man fails to pay the maintenance fee on the date due, he has a 6-month period of grace in which to pay it. This sounds to me like it is going to complicate the little man's life, and it is going to complicate the big man's life, as it will be difficult to determine when a patent has truly expired. You are going to create a new section in the Patent Office to maintain records and notify him about the maintenance fee. This is no argument between big boys and little boys. If they have any kind of idea, they can find the additional $25.

I think the committee has been constructive and deserves commendation for bringing in a raise in fees. There is no question that they are necessary. But again, I say we should be more interested in simplifying governmental affairs rather than complicating them.

The gentleman has offered, in my opinion, a good amendment and should be commended for doing so. He was told awhile ago by the gentleman from New York [Mr. LINDSAY] that if he wanted to be constructive, he should include in his amendment an increase in the fees to take care of the maintenance cost. This, he did to show his good faith. Then, after the amendment being offered, the distinguished chairman of the subcommittee [Mr. WILLIS] jumps on him for increasing the fees, saying that he is going to squeeze out the little man. He is somewhat like the canary caught in the badminton game. He is being knocked back and forth by both sides. But I assure you that the increase proposed by the gentleman's amendment is not going to squeeze out anyone.

I think the gentleman has offered a good amendment, and it should be adopted by this House in the name of simplification of our Government, as well as meeting the need for the increased revenue.

Mr. POFF. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I join the distinguished gentleman from Louisiana in opposition to the amendment.

I want to compliment the gentleman from Illinois. He is most versatile and skilled in debate. When we were arguing the rule, I understood that the gentleman complained that the patentee would be put to a great deal of trouble, inconvenience, and expense in keeping books and hiring lawyers to remind himself to pay the maintenance fees timely. Then after we got into the Committee of the Whole House on the State of the Union, I notice the distinguished gentleman saw fit to complain about the additional costs that will be incurred by the Patent Office in giving notice of the maintenance fee. The gentleman from Illinois also called attention to the recordkeeping that might be required by this bill.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. The reason I mentioned the fact that additional legal expense might develop is that in Europe, where the maintenance fee system originated, there has been objection to it. The lawyers take care of notifying the client when the fee is due, and so forth, and naturally they charge a fee for their services. So the patentee will not only be paying a maintenance fee but paying a lawyer for his services.

Mr. POFF. It is not likely the patentee would hire a lawyer to write a check and sign his name to it under a power of attorney, when the patentee would be forwarded by Patent Office notice well in advance of the fee deadline.

To the gentleman from Illinois [Mr. MCCLORY] may I say I do not understand how additional recordkeeping of any consequence would be thrust upon the patentee when the bill, as I have said before, requires not one but several kinds of notices to be made to the patentee.

Mr. MCCLORY Mr. Chairman, will the gentleman yield?

Mr. POFF. I am glad to yield to the gentleman.

Mr. MCCLORY. The point I am trying to make is twofold really. Recordkeeping is going to be involved not only on the part of the patentee but also in the Patent Office itself. As I understand it, at the present time when a patent is granted, there is no further recordkeeping that is required in the Patent Office. The patent is there and it remains on record and there is no further servicing. Under this legislation, if it is enacted without this amendment, there would have to be additional recordkeeping at the end of the 5-year period and at the end of the 9-year period and at the end of 13 years.

Also, the effect of this bill will be to require the patentee or his agent or attorney to keep records during that time. It is this combination of records that combines to add to the expense because there are service charges and additional expenses which are incurred in connection with the proposed maintenance fees or taxes.

Mr. POFF. I thank the gentleman, but I am afraid the gentleman in his response ignores the fact that when a new patent application requires a new search of the records, the search is more expensive to the Patent Office if there are many unexpired patents which, in fact, are not being used by the patentee or his licensee. If the effect of this legislation would be to reduce the number of such patents, then I think possibly we could look forward to substantial savings. I might also respond to the gentle-

man from Illinois [Mr. ANDERSON] who offered an amendment which would in the first instance increase the filing fee from $50 to $75. We must understand the filing fee is paid before the applicant has any assurance whatever that his patent is going to be granted. Therefore, he is being saddled with an extra burden at a time when he can afford it least. Then also the gentleman's amendment would increase the issuance fee from $75 to $100. Altogether this represents an increase of $50 which is only $25 less than the total amount that the applicant can pay by exercising the option granted him under section (g), page 9, of the bill.

For these reasons, Mr. Chairman, I must oppose the amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GIAIMO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment. We have heard statements made here today, Mr. Chairman, that we all want to economize on this bill. Everyone who has been working on the bill in committee wanted to economize on this bill. We want to make certain that the small inventor, the man who cannot afford to spend large sums of money on fees, is protected and see that he is not taken advantage of. All of this I am in agreement with. Certainly, I am in agreement with the concept, for example, of trying to make the Patent Office more self-sustaining. But the committee comes here to the floor of the House with a bill designed primarily to accomplish this purpose and they say that in order to accomplish this, we will increase the amount of the payment that must be paid now on existing charges on the application and on the issuance of the patent. But then they go one step further and they say that in order to do this, let us create a new type of fee, a maintenance fee. I suggest that when they do this—when they create this new type of fee which we call a maintenance fee and which has been in existence in the countries of Europe, they are going beyond the mere attempt to increase existing fees—which fees have not been increased for many years—in the attempt to make the Patent Office more self-sufficient.

They are now saying that for the privilege of owning a patent or for the privilege of working a patent, we are going to charge the patent holder an indirect tax, if you will, and put the burden on the user. In order to soften this burden and in order to mitigate this—because we had difficulty with this last year—they have perfected their bill in my opinion as compared to the bill that was brought here last year, and they now have this optional provision whereby instead of paying the $50 in 5 years and the $100 in 9 years and the $150 in 13 years for maintenance, it is made a flat sum of $75. Or one can defer his payment until he derives monetary benefit from the patent.

By doing this, is it a simple attempt to raise existing fees, as the gentleman from Illinois suggested and as I have suggested, in order to make this Office more self-sustaining, or are we bringing something new into this; namely, an indirect user tax on the small inventors of America? The large inventors will pay whatever fees are created by law, but the small inventor is the man about whom we are concerned and about whom this country historically has been concerned.

Once having established the principle of maintenance fee, once enacting it into law, will we open the door in future years for increasing it, for opening it further, for eliminating the option? Then, instead of paying a small amount of increase, as suggested in the amendment of the gentleman from Illinois, $25 on filing and another $25 on issuance, or $50, will it be opened up wide?

Already we have written into the law the optional sum of $75 minimum to $300 maximum, and even more than that, I am told by people in the field.

Therefore, I am quite concerned about establishing this new principle of a maintenance fee. I should like to see an attempt made to get started on trying to make the Office more self-sustaining by sticking to established existing law, which provides for the charges on application and issuance of patent. Let us see how that works. Let us see how much money that will bring in, and then determine whether there should be another modest increase in the existing fees, before we go into this new type of fee, which I claim is an indirect user tax.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman from Connecticut yield?

Mr. GIAIMO. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. I thank the gentleman for his statement and for supporting my amendment.

The gentleman asked the question of whether we are putting a user tax on the inventor. I recall the colloquy a few minutes ago between the gentleman from Louisiana [Mr. WAGGONNER] and the distinguished chairman of the subcommittee, the gentleman from Louisiana [Mr. WILLIS]. That question was answered in the affirmative. Yes, that is what the bill would do, unless we amend it. By passage of the bill we would put a user tax on the inventor.

Mr. GIAIMO. Yet they come in here to claim that this is simply a bill to increase the fees, to make the Office more self-sustaining; is that not so?

Mr. ANDERSON of Illinois. As the gentleman has pointed out, it is far more than that. It involves a principle which could be destructive of the patent system.

Mr. BOW. Mr. Chairman, I move to strike the requisite number of words.

I rise only to say I support the principle of this bill. I am not familiar with all the details of the amendment, but I support the overall principle of the bill.

This subject comes before my subcommittee of the Appropriations Committee. When I first went on the Appropriations Committee, the request of the Patent Office was approximately $7 million. Today the request of the Patent Office is $37 million. There has been no increase in fees during the period of time this great increase has occurred.

I believe it is time for Congress to face up to this fact, and we must raise these fees so that we can start to cut down on the great deficit we have.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman from Ohio yield?

Mr. BOW. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. I am anxious to point out to the Members now on the floor that I can support this bill if this amendment which I am proposing is adopted. It would raise the fees which would be collected by the Patent Office.

Because of the respect in which the gentleman from Ohio [Mr. Bow] is held on both sides of the aisle, because of his continuing concern that this Government of ours operate on a pay-as-you-go basis, I know Members will listen very carefully to the position he takes.

I assure the gentleman from Ohio that by voting "yea" on my amendment, by supporting, he will not in any way be subscribing to a position which could be characterized as financial irresponsibility.

The amendment would raise the fees of the Patent Office. It would put the Office on a far more self-sustaining basis than it is at the present time.

My quarrel is merely with the method in which it is sought to be done in the original bill, by the maintenance fee system rather than by merely increasing the application fee and the final issuance fee.

Mr. BOW. I thank the gentleman for his contribution.

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. ANDERSON].

The question was taken; and on a division (demanded by Mr. ANDERSON of Illinois) there were—ayes 22, noes 36.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. NIX, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4185) to fix the fees payable to the Patent Office, and for other purposes, pursuant to House Resolution 275, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. ANDERSON of Illinois. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ANDERSON of Illinois. I am.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. ANDERSON of Illinois moves that the bill H.R. 4185 be recommitted to the Committee on the Judiciary.

Mr. WILLIS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. WILLIS. Mr. Speaker, I ask unanimous consent that all Members may have an opportunity to revise and extend their remarks before the vote on this bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

RELATING TO SALARIES OF SUPREME COURT JUSTICES

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 276 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 276

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5374) relating to the salaries of the Chief Justice of the United States and of the Associate Justices of the Supreme Court of the United States. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 37]

Ayres	Hanna	Ronan
Carter	Herlong	Roncalio
Cederberg	Kirwan	Roosevelt
Conte	Kluczynski	Roybal
Conyers	Leggett	St Germain
Craley	Martin, Mass.	Springer
Dorn	May	Stephens
Edwards, Ala.	Mize	Sweeney
Fogarty	Morton	Toll
Fraser	Pepper	Whitten
Friedel	Powell	Widnall
Hagan, Ga.	Rivers, S.C.	Wright

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 401 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The SPEAKER pro tempore. The gentleman from Texas [Mr. YOUNG] is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 276 provides for consideration of H.R. 5374, a bill relating to the salaries of the Chief Justice of the United States and of the Associate Justices of the Supreme Court of the United States. The resolution provides an open rule with 1 hour of general debate.

The purpose of H.R. 5374 is to increase by $3,000 per annum the salaries of the Chief Justice of the United States and of the Associate Justices of the Supreme Court, and thereby to restore the differential which existed between the salaries of Chief Justice and the Associate Justices, on the one hand, and the salaries of Federal judges, on the other hand.

By the Government Employees Salary Reform Act of 1964, which became law on August 14, 1964, general increases were afforded officers and employees of the legislative, executive and judicial branches of the Federal Government. That act increased the basic compensation to Members of Congress and Federal judges by $7,500 per annum, maintaining existing differentials in the salaries of different Federal judges. The enactment, however, increased the salaries of the Chief Justice of the United States and of the Associate Justices of the Supreme Court by only $4,500 per annum, thereby reducing the preexisting differential between the salaries of the Chief Justice and the Associate Justices on the one hand, and the various Federal judges on the other.

Mr. Speaker, I urge the adoption of House Resolution 276.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. YOUNG. For what purpose does the gentleman seek recognition?

Mr. GROSS. To ask the gentleman a question.

Mr. YOUNG. I yield for a question.

Mr. GROSS. Can the gentleman tell me why this bill came from the Judiciary Committee rather than from the Committee on Post Office and Civil Service, which handled the pay bill last year?

Mr. YOUNG. Because it involves title 28 of the United States Code.

Mr. Speaker, I yield to the chairman of the Judiciary Committee, who is present, for a more complete answer.

Mr. CELLER. The salaries of Justices and the salaries of the judiciary are under bills which always have been directed to the Committee on the Judiciary under the rules of this House. The last salary bill, however, contained not only increases in judiciary salaries but also increases in executive salaries and legislative salaries, and therefore it went to the Committee on Post Office and Civil Service.

Mr. GROSS. But the facts of the matter are that the pay increase bill last year was handled by the Committee on Post Office and Civil Service, and at least one other pay increase bill for members of the judiciary has been handled by the Committee on Post Office and Civil Service in past years.

The question is, How and why does the Judiciary Committee have jurisdiction over this bill, under the circumstances?

Mr. CELLER. I believe the gentleman is in error. In the last Congress, the bill was a comprehensive bill and covered all branches of the Government.

In 1955, there was a bill increasing salaries of Members of Congress and members of the judiciary, and it was a toss up as to what committee should get it. It was, shall I say, our misfortune to receive it. We handled the increase for the judiciary as well as the increase for the legislative branch.

Ordinarily, since the bill affects title 28 of the United States Code, inasmuch as the Judiciary Committee has jurisdiction over that section of the code, the bill naturally would gravitate to the Judiciary Committee.

Mr. GROSS. I was interested to hear the gentleman say it was his misfortune to handle this pay increase bill. I agree with the gentleman that it is unfortunate that the bill is here at all and I hope the House will lose no time in defeating it.

Mr. YOUNG. Mr. Speaker, I reserve the remainder of my time.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think it is perhaps of some interest at this point to note the reason we are today considering a rule which would make in order a bill increasing the salaries of Supreme Court Justices by $3,000. It is because of the action taken in the other body last year during the consideration of the pay raise bill of 1964. It is also interesting, I think, to notice some of the reasons that were adduced in support of the amendment offered in the other body. This is as to why Supreme Court judges' salaries should be increased by $4,500. Mr. Speaker, it was interesting to note some of the arguments that were pointed out in support of this particular amendment which would increase their salaries, as I have said, by $4,500 rather than by $7,500. The reason is that members of the Court are appointed for life. In addition to having lifetime tenure, they retire at the age of 70 on full pay. They make no contribution at all to a retirement system, as do Members of Congress to the extent, I believe, of 7½ percent. Also, unlike Members of Congress, I think you will find most of them take regular summertime vacations and, indeed, reports in the press would indicate some of them even take winter vacations, for example, in New Mexico and places like that. The argument, of course, in back of this legislation is that there is some historical precedent for a $7,500 differential between the salaries of Federal district judges and Supreme Court judges. I leave that matter for the

Members of the House to decide for themselves.

Mr. Speaker, at this time I yield 5 minutes to the gentleman from Kansas [Mr. DOLE].

Mr. DOLE. Mr. Speaker, I take this time because whenever thinking of the Supreme Court I think of last June 15, 1964, and the reapportionment decisions handed down in Reynolds against Simms and the related cases. It has been suggested that perhaps section 2 of the bill might be amended whereby the effective date of the pay increase, if adopted by this House, would be the date the Supreme Court reverses the decision in Reynolds against Simms. I point out it has also been suggested the Tuck bill be added to this bill before us.

I recognize both of these amendments would involve unrelated matters and therefore are not germane to the bill, but point out and take this time to remind the Members that State legislative reapportionment is the most vital domestic issue before Congress this year. We are having some success in a bipartisan effort in the House to dislodge a reapportionment bill from the committee which will conduct hearings, perhaps, next month. If you are sincerely concerned about legislative reapportionment, if you really wish to preserve the future of rural America and want to protect the rights of rural Americans, then step forward and sign discharge petition No. 1.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. DOLE. Yes. I yield to the gentleman.

Mr. ROGERS of Colorado. Do I understand you disapprove of one man's vote equalling each other man's vote? You disapprove of that as a principle in our democracy?

Mr. DOLE. No. What I approve of is the will of the majority, and under the Patman bill and any plan of apportionment adopted would be submitted to the people of Colorado or the people of Kansas. The majority of the electorate would determine what plan of apportionment might be adopted. As far as I am concerned, I am willing for the majority to rule in the State of Kansas or any other State.

Mr. YOUNG. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. Mr. Speaker, I take this time to ask the chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER], a couple of questions.

Will the gentleman tell me what is the salary of these gentleman at the moment?

Mr. CELLER. Of the Supreme Court members?

Mr. HAYS. Yes.

Mr. CELLER. The present salary of the Chief Justice is $40,000. The salaries of the Associate Justices are $39,500. The circuit court judges receive $33,000, and the U.S. district court judges, $30,000.

Mr. HAYS. Is it true they can retire on full pension after 10 years and they contribute nothing toward the value?

Mr. CELLER. They must be a certain age. I think it is 70 years plus 10 years of service or 15 years of service at age 70 they can then retire.

Mr. HAYS. I am just curious to know why this third chamber of the legislative body in this country is so much more highly paid than this body and the Senate.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield.

Mr. HALEY. Mr. Speaker, I wonder if the gentleman could tell me how much the present Chief Justice of the United States draws as a pension from the State of California.

Mr. HAYS. Mr. Speaker, the gentleman has asked if I knew how much the present Chief Justice draws from the State of California under a pension and I must say I do not know. But I will say to the gentleman that this is a field that needs some looking into, not only in the case of the Chief Justice but in many other cases. Right at the moment the Subcommittee on Contracts of which I am chairman has before it, or had before it—it has been withdrawn now—a request to hire a gentleman who had retired, to hire him under a contract of $22,500 a year, and he is drawing a pension of over $10,000. I rejected it on the ground that no employee of the Congress should be making more money than a Member of Congress. So that this is not confined to that one area alone.

Mr. HALEY. Mr. Speaker, if the gentleman will yield further, I have it on very reliable information that the Chief Justice is now drawing from the State of California something between $27,000 and $30,000 per year.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield.

Mr. WAGGONNER. Mr. Speaker, I wonder if the gentleman could tell the House whether or not there is any danger, if these salaries are not raised, that we are going to have mass resignations from the Supreme Court. Has any member threatened to resign?

Mr. HAYS. I think it is unlikely. And I should think, since many of us were brought back here from our offices to listen to this debate, that this bill may not even pass. I will say to the gentleman that I have no intention of voting for it.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield further?

Mr. HAYS. I yield.

Mr. WAGGONNER. I wonder if it would not be the better part of wisdom for the Congress to reduce the salaries of these people to the amount that legislators make, since they have assumed the legislative role?

Mr. HAYS. No; I would rather our salaries went up to their level, if it is all right with the gentleman.

Mr. YOUNG. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Speaker, I do not need 5 minutes for what I am going to say. I think the House has acted on this. I think, as has been pointed out today, there are many doubts in the minds of many Members concerning the wisdom of this bill. The only excuse for it that has been given is that we should perpetuate an inequity that already exists.

As the gentleman from Louisiana [Mr. WAGGONNER] said, if they are going to assume the legislative functions of Government, let them be paid on that basis. I think we are wasting a lot of time here even discussing this rule. I think we ought to vote down the rule and throw the whole thing out, and let the Supreme Court know what we think about it.

Mr. CASEY. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield.

Mr. CASEY. In order to maintain the ratio that they are talking about Congress would have to reduce its own salary. Under the Constitution we could not reduce the Court's salary to maintain that same ratio.

Mr. JONES of Missouri. I do not think we could, but I do not see any reason for this bill. They legislate on everything else; let them legislate on their salaries. They do not pay any attention to the Constitution any more anyhow.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield.

Mr. CUNNINGHAM. I have heard comments on the judges' pensions, toward which the judges do not contribute at all, and other fringe benefits. I believe the Court is furnished a limousine, too. That should be considered.

Mr. JONES of Missouri. I do not know about that. But I think we ought to vote the rule down and get down to some real business.

Mr. KEITH. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield.

Mr. KEITH. Mr. Speaker, I would like to point out to my colleagues the pension liability which the Congress will be putting on the taxpayers of our country. I thought the gentleman might be interested to know how much a pension of approximately $40,000 a year would cost if one had to buy it from an insurance company. It can be safely estimated that it would create a pension liability of approximately one-half million dollars. This is what we would have to appropriate in order to fund the pension costs. May I point out, too, that there is no income tax levied on this increment to their salaries. Imagine how much money one would have to earn in order to have enough left over at retirement, a pension that would cost almost a half million dollars. It would, before taxes, require these judges to earn perhaps $125,000 to net the 40.

Mr. JONES of Missouri. I thank the gentleman.

Mr. YATES. Mr. Speaker, will the gentleman yield so that I may ask a question of the chairman of the full Committee on the Judiciary?

Mr. JONES of Missouri. Yes, I yield to the gentleman from Illinois.

Mr. YATES. Is it not true that even though any one of the Justices may retire at age 70 he can be called back to

active duty at any time with their consent and this is not in fact during their retirement?

Mr. CELLER. That is correct.

I want to also say to the gentleman from Missouri [Mr. JONES] that all we do in this bill is to do exactly what we did when we passed the salary bill. It was the other body which made the reduction. All we ask is that we do exactly and repeat what we did in this body about a year ago. We ask only for fairness and equity.

Mr. JONES of Missouri. In response to the gentleman from Illinois and his question to the chairman of the committee about calling the Justices back, in the event we would be fortunate enough to get rid of some of them I do not think anyone would want to call them back.

Mr. YOUNG. Mr. Speaker, I yield back the balance of my time.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the resolution.

The question was taken; and the Speaker pro tempore being in doubt, the House divided, and there were—ayes 76, noes 74.

Mr. WAGGONNER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 202, nays 183, not voting 48, as follows:

[Roll No. 38]

YEAS—202

Adams	Dwyer	Hollfield
Addabbo	Dyal	Holland
Albert	Edmondson	Horton
Anderson, Tenn.	Edwards, Calif.	Howard
	Erlenborn	Huot
Annunzio	Evans, Colo.	Irwin
Ashley	Farbstein	Jacobs
Aspinall	Farnsley	Jarman
Bandstra	Farnum	Jennings
Bates	Fascell	Joelson
Bell	Flood	Johnson, Calif.
Bingham	Foley	Johnson, Okla.
Blatnik	Ford, Gerald R.	Jones, Ala.
Boggs	Ford, William D.	Karsten
Bolling		Kastenmeier
Brademas	Fraser	Kee
Brooks	Frelinghuysen	Keogh
Brown, Calif.	Fulton, Tenn.	King, Calif.
Burke	Gallagher	King, Utah
Burton, Calif.	Garmatz	Krebs
Byrne, Pa.	Giaimo	Lindsay
Byrnes, Wis.	Gibbons	Leggett
Cabell	Gilbert	Long, Md.
Cahill	Gilligan	Love
Cameron	Gonzalez	McCarthy
Celler	Goodell	McClory
Clevenger	Grabowski	McCulloch
Cohelan	Green, Oreg.	McDowell
Corbett	Green, Pa.	McFall
Corman	Grider	McGrath
Culver	Griffin	McVicker
Curtis	Griffiths	Macdonald
Daddario	Hagen, Calif.	MacGregor
Daniels	Halpern	Machen
Dawson	Hamilton	Madden
Delaney	Hanna	Mailliard
Denton	Hansen, Iowa	Mathias
Diggs	Hansen, Wash.	Matsunaga
Dingell	Hathaway	Meeds
Dow	Hawkins	Michel
Dulski	Hechler	Miller
Duncan, Oreg.	Helstoski	Minish
Monagan	Race	Stalbaum
Moorhead	Reid, N.Y.	Stratton
Morgan	Resnick	Tenzer
Morse	Reuss	Thomas
Mosher	Rhodes, Pa.	Thompson, La.
Moss	Rivers, Alaska	Thompson, N.J.
Multer	Robison	Thompson, Tex.
Murphy, Ill.	Rodino	Todd
Nedzi	Rogers, Colo.	Trimble
Nix	Rooney, N.Y.	Tunney
O'Brien	Rooney, Pa.	Tupper
O'Hara, Ill.	Rosenthal	Udall
O'Hara, Mich.	Rostenkowski	Ullman
Olsen, Mont.	Roush	Van Deerlin
O'Neill, Mass.	Rumsfeld	Vanik
Ottinger	Ryan	Vivian
Patman	St. Onge	Walker, N. Mex.
Patten	Scheuer	Weltner
Pepper	Schmidhauser	White, Idaho
Perkins	Schneebeli	Wilson, Charles H.
Pickle	Senner	
Pike	Sickles	Wolff
Pirnie	Sisk	Wyatt
Pool	Slack	Yates
Price	Smith, Iowa	Young
Purcell	Smith, N.Y.	
Quie	Stafford	

NAYS—183

Abbitt	Everett	Murphy, N.Y.
Abernethy	Feighan	Murray
Adair	Fino	Natcher
Anderson, Ill.	Fisher	Nelsen
Andrews, George W.	Flynt	O'Konski
	Fountain	Olson, Minn.
Andrews, Glenn	Fulton, Pa.	O'Neal, Ga.
	Fuqua	Passman
Andrews, N. Dak.	Gathings	Pelly
	Gettys	Poage
Arends	Gray	Poff
Ashbrook	Greigg	Quillen
Ashmore	Gross	Randall
Baldwin	Grover	Redlin
Baring	Gubser	Reid, Ill.
Battin	Gurney	Reifel
Beckworth	Haley	Reinecke
Belcher	Hansen, Idaho	Rhodes, Ariz.
Bennett	Hardy	Roberts
Berry	Harris	Rogers, Fla.
Betts	Harsha	Rogers, Tex.
Bolton	Harvey, Ind.	Roudebush
Bonner	Harvey, Mich.	Satterfield
Bow	Hays	Saylor
Bray	Hébert	Schisler
Brock	Henderson	Schweiker
Broomfield	Hicks	Scott
Brown, Ohio	Hosmer	Secrest
Broyhill, N.C.	Hull	Selden
Broyhill, Va.	Hungate	Shipley
Buchanan	Hutchinson	Shriver
Burleson	Ichord	Sikes
Burton, Utah	Johnson, Pa.	Skubitz
Callan	Jonas	Smith, Calif.
Callaway	Jones, Mo.	Smith, Va.
Casey	Karth	Springer
Chamberlain	Keith	Staggers
Chelf	King, N.Y.	Stanton
Clancy	Kornegay	Steed
Clark	Kunkel	Stubblefield
Clausen, Don H.	Laird	Sullivan
	Landrum	Talcott
Clawson, Del	Langen	Taylor
Cleveland	Latta	Teague, Calif.
Collier	Lennon	Teague, Tex.
Colmer	Lipscomb	Thomson, Wis.
Conable	Long, La.	Tuck
Cooley	McDade	Tuten
Cramer	McEwen	Utt
Cunningham	McMillan	Vigorito
Curtin	Mackay	Waggonner
Dague	Mackie	Walker, Miss.
Davis, Ga.	Mahon	Watkins
Davis, Wis.	Marsh	Watts
de la Garza	Martin, Ala.	Whalley
Dent	Martin, Nebr.	White, Tex.
Derwinski	Matthews	Whitener
Devine	Mills	Williams
Dole	Minshall	Wilson, Bob
Dowdy	Moeller	Wydler
Downing	Moore	Younger
Duncan, Tenn.	Morris	
Ellsworth	Morrison	

NOT VOTING—48

Ayres	Edwards, Ala.	Kirwan
Barrett	Evins, Tenn.	Kluczynski
Boland	Fallon	Martin, Mass.
Carey	Findley	May
Carter	Fogarty	Mink
Cederberg	Friedel	Mize
Conte	Hagan, Ga.	Morton
Conyers	Hall	Philbin
Craley	Halleck	Powell
Dickinson	Hanley	Pucinski
Donohue	Herlong	Rivers, S.C.
Dorn	Kelly	Ronan
Roncalio	Stephens	Widnall
Roosevelt	Sweeney	Willis
Roybal	Toll	Wright
St Germain	Whitten	Zablocki

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Kirwan for, with Mr. Rivers of South Carolina against.

Mr. Martin of Massachusetts for, with Mr. Whitten against.

Mr. Conte for, with Mr. Hall against.

Mr. Toll for, with Mr. Stephens against.

Mr. Pucinski for, with Mrs. May against.

Mr. Fogarty for, with Mr. Edwards of Alabama against.

Mr. Zablocki for, with Mr. Dorn against.

Mr. Widnall for, with Mr. Mize against.

Mr. Barrett for, with Mr. Dickinson against.

Mrs. Kelly for, with Mr. Herlong against.

Mr. Carey for, with Mr. Hagan of Georgia against.

Until further notice:

Mr. Wright with Mr. Morton.
Mr. Hanley with Mr. Findley.
Mr. Friedel with Mr. Carter.
Mr. Fallon with Mr. Ayres.
Mr. Evins with Mr. Cederberg.
Mr. Kluczynski with Mr. Willis.
Mr. Sweeney with Mr. St Germain.
Mr. Roybal with Mr. Boland.
Mr. Cooley with Mr. Conyers.
Mr. Roosevelt with Mr. Powell.
Mr. Donohue with Mrs. Mink.
Mr. Philbin with Mr. Ronan.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5374) relating to the salaries of the Chief Justice of the United States and of the Associate Justices of the Supreme Court of the United States.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee on the Whole House on the State of the Union for the consideration of the bill H.R. 5374, with Mr. DENT in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CELLER. Mr. Chairman, all this bill does, in my humble opinion, is ask justice for our highest judges. I did not know when the bill was to be brought up that we would have had a sort of field day of criticism against our highest Court. I know that the history of our land indicates that neither the members of the Court nor the Members of this House have ever been the darlings of the Nation. Members of Congress have always been the subject of mordant and unjustifiable criticism because of certain laws that we have passed. So the Justices of the Supreme Court have been subject to condign criticism at times because they have rendered decisions which in their conscience were proper and laudable.

I have but to draw your attention to the fact that our courts have been the targets of slings and arrows; like the

cases, for example, called the Legal Tender cases; the Bank of United States case; Ex parte McArdle during the Civil War, which aroused ire and fury all over the land. Yet the Court survived. Like the Rock of Gibraltar it survived and will continue to survive despite the petty criticism that we may hear in this Chamber against the Court.

I remember also, when I was a freshman Congressman, Franklin Delano Roosevelt did not like some of the decisions of the Court which struck down New Deal legislation. He sought to pack the Court. Many of you may remember that or have read it in the history. I was one of those who stood firm as a Member of the Committee on the Judiciary against the packing of that Court.

Mr. Chairman, I incurred the ill will of the President because of my opposition to his desire to pack the Court.

Mr. Chairman, I remember also reading—it was before my time—of the objection that Teddy Roosevelt leveled against one of our greatest jurists, Oliver Wendell Holmes.

Oliver Wendell Holmes had been the chief judge of the highest court of Massachusetts. The then President, Theodore Roosevelt, thought he was liberal enough to place him on the Supreme Court. He thought that he would have his vote in connection with the so-called Northern Securities case. Teddy Roosevelt wanted to break up the Northern Securities empire. And, what happened? Oliver Wendell Holmes voted against what Teddy Roosevelt wanted. You know what Roosevelt said about this great jurist? He said with reference to Oliver Wendell Holmes he could make a man with a better backbone out of a banana. Yet—and yet—Oliver Wendell Holmes went forth with his amazing decisions involving the greatest wisdom and prescience to become one of the greatest Justices that ever sat on our bench despite the fact that he was criticized by the highest official in the land.

So, Mr. Chairman, we have Members of this body who do not like the school desegregation decision, who do not like the school prayer decision, who do not like the one-person, one-vote decision. But let me tell you this. If any one of those critics got into jeopardy and someone sought to filch his civil rights from him or take away his inalienable rights, he would bless the Supreme Court because he would have recourse to the Supreme Court to defend those rights.

Therefore, Mr. Chairman, it strikes me as rather inane to have these criticisms leveled against our Court, to use the pique and the spite that we so often hear to influence our judgment as to whether we shall repeat what we did here in the last Congress.

Mr. Chairman, all this bill proposes to do is to provide for an increase of $3,000 a year to the Chief Justice of the U.S. Supreme Court and $3,000 a year for the eight Associate Justices of the Supreme Court. All that is involved in this entire business is $27,000 a year.

When we passed the bill in the last Congress we provided that there would be an increase of the congressional salaries and the salaries of the U.S. district court judges and the salaries of the court of appeals judges and the Associate Supreme Court Justices and the Chief Justice would be increased by $7,500.

Mr. Chairman, we accepted that bill and we passed it right in this Chamber. It went over to the other body and the committee over in that body approved what we did. However, when the bill came to the floor of the other body you heard the same kind of criticism in that other body that you have heard today. As a result they cut down the increase by $3,000, a paltry $3,000 if I may say so.

This bill simply increases the salary of the Chief Justice from $40,000 to $43,000, and the salaries of the Associate Justices from $39,500 to $42,500. That is all this bill does.

One last word, and I shall have completed my statement: I can tell you from my reading of history that the Supreme Court will continue to flourish and the Supreme Court will stand at the grave of its tormentors. It will never do otherwise, and thank God for that. We need that Supreme Court. It is rather idle and unfair that these attacks shall be leveled against the personalities of the Supreme Court, because they did what? They did their duty, and I am going to stand by the Supreme Court.

Mr. MATHIAS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to support this legislation and to support the increases in salaries and compensation which are proposed to be paid to members of the Supreme Court. To judge the compensation of the members of the Court by popularity of its decisions would be one of the most irresponsible procedures to follow.

The Declaration of Independence, which states some of the basic concepts of government by which the Republic has lived for almost two centuries, set up the independence of the judiciary as one of the prime objectives of the American Revolution, and pointed out the fact that a judiciary dependent upon the Crown was one of the great tyrannies from which we sought to escape.

In the Constitution we have attempted by sound provisions to make sure that the courts of America shall be able to render their conscientious judgment on questions of law which come before them. So I think we have to approach the consideration of this bill on the simple question of what is equitable to pay the highest judges in this land. That is the basic decision to be made here, and I think we must call on all of the Members of the House to consider it only in that light, and not how they themselves may feel about the Chief Justice or about the decisions of the Chief Justice.

Mr. MAILLIARD. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from California.

Mr. MAILLIARD. I thank the gentleman for yielding.

In listening to some of the discussion that went on in consideration of the rule, I heard the question discussed, although I do not consider it relevant to this piece of legislation, and I heard the statement made that the Chief Justice of the Supreme Court, former Governor of California, received a pension on retirement from the State of California of somewhere between $27,000 and $30,000 a year.

I may say someone asked me about it, and the reason they asked me being at one time I was secretary to the Governor of California, now the Chief Justice of the United States. I said I did not know. I knew he had served the State of California in many capacities, but I had no idea of what his pension might be.

However, I just recently telephoned the Chief Justice's secretary, and asked about this. So the record may be straight, after 33 years of public service under a contributory retirement system, the Chief Justice receives from the retirement system $12,500 a year.

Mr. MATHIAS. I thank the gentleman from California for a very constructive contribution.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from New York.

Mr. CELLER. Will the gentleman from Maryland say that a pension like that, which has been referred to, is sort of an insurance? They pay premiums, they pay contributions, and after a certain length of time they are entitled to certain emoluments.

For example, I am in the New York pension system. I am in the Federal pension system. Frankly, if I retired now I could get a greater sum of money than my salary, because I was cautious enough in my younger days to take out that insurance and enter the pension fund of New York State. Should I be criticized at any time or should a judge be criticized at any time because he was wise enough to take out a pension in the State of which he was a resident and the State to which he dedicated his service?

Mr. MATHIAS. I certainly do not think that any public official who has earned a pension and who, as the gentleman from California advises us, contributed to the fund from which the pension arises, ought to be criticized for the fact that he has that benefit. I do not really think, moreover, that this is material to this discussion, any more than the personal means of any Member of this House is material to the fact that he draws his salary, or some other public official has some proper private source of revenue.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from Nebraska.

Mr. CUNNINGHAM. Considering what is being said here, the Supreme Court is evidently on trial, and the sponsors of the bill are trying to sell it on that basis. There may be some decisions of the court I disagree with, but my opposition to this bill is not based on those decisions. As a member of the salary-writing committee of the Committee on the Post Office and Civil Service, I think the Supreme Court Judges are very well paid and need not receive this further increase.

I point out, as was said in the discussion on the rule, that they have a lifetime pension, that they draw their salary for a lifetime. That is a retirement pension. It is a matter of economics. For that reason I am opposed to the bill. I do not like to see the decision based on what the Supreme Court has done or not done. That is not a matter of concern to me.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from New York.

Mr. LINDSAY. In answer to what the gentlemen has just stated, that it does not concern him, during the debate on the rule, and the members of the Judiciary Committee did not speak on that question, charges were made that the Supreme Court has usurped the functions of Congress and has done things which were not the function of the Court.

It raises a matter which the gentleman says should not be considered. The fact of the matter is, the basis of the vote on this bill will, in addition to the reasonableness of the proposition itself, be the integrity and independence of the Court, because the question has been raised and put in issue, whether the gentleman likes it or not, and it was not put in issue by the members of the Judiciary Committee who are trying to report it out.

Mr. MATHIAS. I concur entirely with the gentleman. The question of the independence of the Court is before us whether we like it or not.

Mr. KEITH. I agree with the gentleman from Nebraska, but I disagree with my colleagues, the gentlemen from New York and from Maryland that the whole tenor of the debate was as they tried to indicate. My remarks were to the question as to what was equitable and I resent having to defend my vote on the grounds which were charged by my colleagues on both sides of the aisle.

The fact is this is a very substantial pay raise that they are getting and we are voting at the same time for an increased liability insofar as the pension fund is concerned. It seems to me that the chairman and the ranking Republican on the committee owe it to us to tell us what are some of the fringe benefits that go along with this position as Supreme Court Justice.

I pointed out during the debate that the cost of a pension in the vicinity of $40,000 a year is approximately $500,000 for one individual. Now that is a lot of money and we are asking our taxpaying constituents to fund such a liability. This money accrues to their benefit, that is the $500,000, without any income tax liability, as I say, to get a pension in the vicinity of $40,000 a year at the age of 65 or 70 costing around $450,000 would require one to earn in their tax bracket close to $1 million or $1,250,000.

Now the main point I want to make is that my vote against the rule was cast on the basis that these men are being adequately paid for the services they render. They are, of course, very significant services. My vote was, in no way, based on any resentment as to any decisions that they have made, most of which I support and with all of which, of course, I will conform.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman, a member of the committee.

Mr. HUTCHINSON. Article III of the Constitution says that the Judges shall receive a compensation which shall not be diminished during their continuance in office. My opposition to this bill is based upon the fact that I believe the Congress should give consideration and weight to this factor—that once a salary and a pension is set up, it cannot under any circumstances constitutionally be reduced at any time during the service of that Judge on the Court, which presumably is his lifetime.

Now when we set congressional salaries, those salaries can be reduced and as a matter of history, they have been reduced. I think when we set the salaries of judges, we should take into account the fact that we can never reduce them and, consequently, we should not be so eager and so quick to just increase their salaries simply because we increase other salaries. Other salaries can be reduced, but these particular salaries can never be reduced. That security of salary is a factor that I think the Congress should take into account when the salary is fixed.

Mr. MATHIAS. I would like to respond to the inquiry which is made by the gentleman from Massachusetts as to some of the fringe benefits. The question of the Court's limousine has been raised here. I understand there is one limousine placed at the disposal of the Court and, of course, that is one limousine for the entire Court. There is full pay upon retirement at age 70 at the conclusion of 10 years of service or at age 65 after 15 years of service. There is in the present law a provision for an annuity for the widows of the members of the Court amounting to $5,000 per annum.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Chairman, I should like to trace briefly the history of the salaries of Justices of the Supreme Court.

Traditionally, the salaries of Justices of the Supreme Court have equaled or exceeded salaries paid to both the Vice President and the Speaker of the House. In 1874, when the salaries paid to both the Vice President and the Speaker were set at $8,000, Justices of the Supreme Court were receiving $10,000 per annum. By 1925 the salaries of the Vice President and Speaker had increased to $15,000 per annum, but a year later in 1926 the salary of a Supreme Court Justice was fixed at $20,000 per annum. In 1946 the Vice President and Speaker were receiving salaries, exclusive of any expense allowance, of $20,000 per annum and the Supreme Court Justices were receiving salaries of $25,000 per annum. However, in 1949, independent of any increase in salaries for Members of Congress or for Federal Judges, the basic salaries of the Vice President and Speaker were increased to $30,000 per annum. The pattern of 25 years whereby Supreme Court Justices received $5,000 more in salary than either the Vice President or Speaker was thus reversed. However, this was again changed in 1955 when the basic salaries of the Vice President, Speaker, and Supreme Court Justices were fixed equally at $35,000 per annum. The Chief Justice of the United States since the Judiciary Act of 1789 has traditionally received $500 more than the Associate Justices. This differential has always been maintained.

The Commission on Judicial and Congressional Salaries, appointed pursuant to Public Law 220, 83d Congress, in its recommendation in 1954 for an appropriate salary for the Vice President stated:

> Following historical precedents, the Commission determined that the Speaker of the House should receive a salary equal to that of the Vice President.
>
> The Commission also determined that the compensation of the Chief Justice of the United States, as head of the judicial branch of the Government, should be established (at an amount equal to the salary recommended for the Vice President).

The report of the Advisory Panel on Federal Salary Systems—Randall Commission—in 1963 also recommended that the salaries of the Chief Justice, Vice President, and the Speaker be fixed at the same level.

The proposed bill would increase the salary of each Justice by $3,000 per year for a total annual cost of $27,000.

This was adopted by this House in the last session. It was adopted by the committee in the other body, but amended on the floor and compromised in conference.

I believe we must address ourselves to some of the remarks which have been made about the decisions of the Supreme Court. I could not say what motivates any person's vote, beyond what he says motivates it, but I believe there were some remarks demanding answers. They were answered adequately by the chairman of the Judiciary Committee.

I suggest that when we select only the Justices of the Supreme Court and treat them in a different manner from Appellate Justices, from trial judges and from ourselves—when we give each of the others of us a $7,500 pay increase and give them $4,500—we do not demean them, we demean ourselves.

We have a mechanism here for overriding a decision of the Supreme Court. Many individuals have spoken in support of using that mechanism.

Possibly someday we will, but at least while I have been here the House has refrained from undoing what the Justices have done.

I hope that we will give the other body an opportunity to remedy the error it made in the last Congress and to follow the pattern which we set, to treat the Supreme Court Justices equally with Members of Congress and other Federal judges.

I do not believe there is any question that any of us would ever change his vote because of the salary paid. I am equally confident that the Justices are not going to change their decisions because we do or do not raise their salaries.

It would be worthy of the House to give to the other body an opportunity to amend the errors of its ways.

Mr. MATHIAS. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Chairman, I must say that I, too, like the tenor of the debate now more than that which prevailed during the discussion on the rule.

I should like to shed a little more light on the question of the widow's annuity. I am told that the Supreme Court Justices have, as we do, $20,000 group life insurance, plus $20,000 for accidental death and dismemberment. In addition to that they have the $5,000 annuity, which certainly has a present value at death in the estate of the decedent.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield for a correction?

Mr. KEITH. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. There is an annuity of $5,000 for widows of Justices. That is all they get. There was a proposal here last year to raise that to $10,000, but it never was increased. That relates to widows of Justices.

We approved a piece of legislation either two or three Congresses ago—I believe it was three—to authorize the judges, if they so desired, to enter into a plan for assistance to their widows in the event of death, by contributing to that plan.

We felt that the amount of assistance that the widows now in existence would receive once the Justices passed on would be such that the plan would be actuarily sound and that the judges themselves would be paying for the pension which the widows would get. That applies to all Federal judges, aside from the Supreme Court Justices who would like to participate. That is the record as I understand it.

Mr. KEITH. Mr. Chairman, I would like to make a point here and if I do not clear up the questions that are pending, I will be glad to yield further. The point is that this $5,000 annuity certainly has, in the estate of the decedent, a value approximating $75,000, and that is a pretty good fringe benefit. With the salary which they do get now they can certainly set aside enough money or buy enough life insurance to take care of their obligations.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield to me on that point?

Mr. KEITH. I will be glad to yield to you, particularly if you are going to stick to the subject, as was suggested by my colleagues over here.

Mr. WILLIAMS. Of course I am going to stick to the subject. I do not know whether the gentleman can answer the question or not. Perhaps the gentleman from Colorado [Mr. ROGERS] can.

While you are on the subject of the judges' widows, I would like to know when Justice Douglas passes on how many of his widows we will be required to compensate?

Mr. KEITH. I cannot answer that question—I would hate to be the attorney in that estate.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I think that statement of the gentleman from Mississippi is quite unworthy and I hope sober judgment will descend upon him and he will strike those remarks from the RECORD.

Mr. WILLIAMS. The gentleman is not suggesting that the remarks are out of order?

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Chairman, in the last session of Congress when we removed the differential in favor of the Supreme Court Justices there were many who did this merely to engage in a bald act of vengeance.

I would urge my colleagues not to fix salaries on the basis of the popularity of decisions because this does terrible violence to the integrity of the entire judicial process.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield for a minute?

Mr. JOELSON. Yes. Briefly.

Mr. ROGERS of Colorado. The House itself approved what we are asking to do here. It was not any vengeance on our part. All we are asking is that the House reiterate what we did in the last session of Congress.

Mr. JOELSON. I agree with the gentleman, and I certainly endorse what he is trying to have done. However, I feel that whether we agree with a particular decision or do not agree with that decision, it is a terribly dangerous precedent to try to blackjack judges by exercising our own power over the purse strings.

I thank God that we have people on the Supreme Court who would not respond to that type of unfair and, I would say, crude type of pressure.

I am confident that notwithstanding the petty and mean remarks that have been made here today, the judges of the Supreme Court will continue to do their duty as they see it and not strive for popularity in order to get a pay increase. They will strive to render the best possible decisions for the good of all America.

Mr. MATHIAS. Mr. Chairman, I yield such time as he may require to the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Chairman, I was in the Chamber during part of rollcall No. 38. I was called off the floor on official business and was unable to answer to my name. Had I been able to answer my vote would have been "No."

Mr. MATHIAS. Mr. Chairman, I yield such time as he may require to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Chairman, some mention was made of fringe benefits of members of the Supreme Court. Is it not true that the retirement pay that is drawn by a member of the Supreme Court is all tax free?

Mr. MATHIAS. No; that is not so.

Mr. MICHEL. Will the gentleman please clarify that? I have been under the impression that while the members of the Supreme Court do not contribute to a retirement program, the total amount they receive on retirement is tax free. I have wondered if that was the case and if it was, to strike the contrast between what they would be getting as against the pay of a Member of Congress who even after retirement would pay the going rate of income tax on his retirement benefit.

Mr. MATHIAS. For the Supreme Court this is not a contributory retirement system, but it is not exempt from the Federal income tax.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman.

Mr. ROGERS of Colorado. First of all a Federal judge does not contribute to any retirement fund from which he will thereafter draw.

Mr. MICHEL. Is that true of a U.S. district court judge?

Mr. ROGERS of Colorado. The gentleman from Michigan read that portion of the Constitution which is applicable. We may not reduce their salaries. It is a lifetime position that a judge occupies, and under the Constitution we may not reduce his salary. Nor can we cut down the term of a judge. Hence the necessity of a retirement system for Federal judges, which is something that we are not discussing under this bill.

Mr. MICHEL. If that is the case, then he actually gets more on retirement than when he is in the service, because when he is in the service certainly he is being taxed at the going tax rate.

Mr. ROGERS of Colorado. He draws his salary until he dies.

Mr. MICHEL. Does he not pay a Federal tax on his salary?

Mr. ROGERS of Colorado. Yes.

Mr. MICHEL. And when he retires there is no income tax on his retirement pay?

Mr. ROGERS of Colorado. He pays a tax just like anybody else.

Mr. MICHEL. If that is the case, then I am satisfied. I was of the understanding that he retired on his full income.

Mr. TENZER. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield.

Mr. TENZER. It is not retirement pay. It is just a continuation of his salary for life and, therefore, taxable.

Mr. MICHEL. And therefore taxable; I thank the gentleman.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, I want to associate myself with the eloquent statement by the chairman of the Judiciary Committee in favor of this bill. I support this bill for many reasons. Time will permit me to mention only a few.

The cornerstone of American democracy is an independent and impartial judiciary. We are proud of the American judicial system and the highest court in that system is the Supreme Court of the United States. Since its inception, it has always been a hallowed and revered institution. It is such an institution today. It is the branch of our Government which is free from the shifting winds of politics and it should be permitted to stay that way. It ought not to be dragged into a political fight with the Congress.

It is apparent from the debate today that petty piques, resentment, and even vindictiveness are not foreign to it.

Many of the Members of this House say they want an independent judiciary. Yet it is apparent from the debate that the contrary is true. They want a judiciary that is independent but not too independent. They want a judiciary which agrees with their views. They want the Court to avoid controversy in an explosive time when controversy is a part of our way of life. But controversy and storm have reached the Court all during its existence. This is not the first time it has been attacked by Members of Congress nor will it be the last.

During the debate on the rule, one of the Members on the other side said: "Let us not pass this bill until we can attach the apportionment bill to it." I suppose the statement was made facetiously, but how many times is truth spoken in jest? Would the Court be subject to criticism which has been heaped upon it today had it decided otherwise in the apportionment and redistricting cases?

Would the Court have received the opprobrium it has received today if it had not been so vigorous in championing individual freedoms and civil rights?

Would the Court have suffered the sarcastic comment and censure if it had not been willing to take an unpopular position on other controversial matters?

In great measure, Mr. Chairman, the unfortunate remarks that have been made today on this floor are a reaction to some of the controversial decisions of the Court.

Mr. Chairman, I regret the form this debate has taken. Emotional and facetious hostility tends to undermine the confidence which Americans have in the integrity of the Supreme Court of the United States. We are not dealing with individual Justices—we are dealing with an institution. We are dealing with the remuneration which membership in that institution should bring. Over the years a certain formula has been established which was broken last year by what can only be described as a congressional retaliation for what it considered judicial usurpation of its prerogatives. It was an unfair action, because the Supreme Court cannot fight back.

Mr. Chairman, those who have been appointed to the Court are among the best lawyers in the land. They should be given a salary commensurate with the position they occupy.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. YATES. Yes, I yield to the gentleman from Missouri.

Mr. JONES of Missouri. The gentleman talks about qualifications. What qualification does a member of the Supreme Court have in order to say that they are the best lawyers in the country? We have lawyers here in the House of Representatives, I believe, who know more law in a minute than they have learned in a lifetime.

Mr. YATES. The gentleman from Missouri is entitled to his opinion. But I believe history will show that some of the judges on this Court will join the great heroes of the Court who have gone down in our history, men like John Marshall, Cardozo, Brandeis, Holmes, Story, and others.

Mr. Chairman, I say to the gentleman I do not agree with all the decisions of the Court, but it is too much to expect that any person would agree with every decision in the most complex and controversial cases of our time. Every Court writes history and this Court is no exception. I want the Court to be free and independent of any congressional pressure. That is what is involved here. I want an independent judiciary. I want a court that will not bend to the will of this Congress, if you please. If the Congress does not like a decision of the Court, it can change it. It can overrule it. If a constitutional point is involved, it can initiate proceedings to change the Constitution. That is the way to deal with decisions of the Court that are believed wrong—not by cutting the salary of the Justices, in effect.

Mr. Chairman, the rule of comity should be observed. This bill proposes to right the wrong committed in last year's salary bill. I urge its passage.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. FARBSTEIN].

Mr. FARBSTEIN. Mr. Chairman, I would like to direct myself to the economics of the situation. The question of economics was raised a moment ago. I really believe that this nitpicking should be beneath us, because from the standpoint of economics these men are making a very great financial sacrifice. Were any of these men to practice their profession out in the commercial field they undoubtedly would earn twice or even three times as much as their salaries are today.

Mr. Chairman, I believe it is very important that we at this time do not carp in the fashion that we do about the increase we seek to restore that was rejected by the other body last year.

Now, Mr. Chairman, insofar as their qualifications are concerned it is our Presidents who have determined, after thorough examination, that these men are qualified and that they are fit to sit in the exalted position which they occupy today.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. FARBSTEIN. I yield.

Mr. JONES of Missouri. I will say to the gentleman that I do not approve of the decisions that all of our Presidents have made with respect to their choices of members to sit on the Supreme Court and a lot of the people throughout this country do not agree with them.

Mr. FARBSTEIN. Of course, no one objects to your opinion. You have a perfect right to do so.

Mr. JONES of Missouri. And I will express it.

Mr. FARBSTEIN. We have to remember that the majority of the people of this Nation have elected the President and the President has the right to determine whom he wants to choose as Supreme Court Justice. I am satisfied to go by the determination of the President of the United States. I am satisfied that the President does not willy-nilly pick any man off the streets and make him a Supreme Court Justice.

Mr. Chairman, it is upon that basis and foundation that I am satisfied that these men should receive what this bill provides and I am going to vote for the bill.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. FARBSTEIN. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Also, after he is picked he must be confirmed by at least one body of the Congress; is that not correct?

Mr. FARBSTEIN. That is correct.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, I am grateful to the distinguished chairman of the Committee on the Judiciary for the privilege to record my sentiments in accordance with the action of this House in the 88th Congress and against the spite vote of the other body against certain decisions of the U.S. Supreme Court.

Mr. Chairman, we have heard much about the division of our Government into three separate departments. We have heard too little about the necessity of those three departments of the Government working together in harmony and in comity as an essential to the maintenance and the preservation of our form of Government.

To deny the Justices of the Supreme Court the increase in compensation which the Congress extended last year to the Member of the Congress and to comparable members of the Executive department is the same principle as if Congress were to cut the salaries of the Justices of the Supreme Court because Congress did not like the decisions of the Supreme Court.

Congress has the sheer power, Mr. Chairman, to refuse to appropriate the funds to provide any salaries for the Justices of the Supreme Court if we sought in violation of the Constitution to destroy that Court by depriving the Justices thereof of a living in the performance of their high duties.

We could deny the President his salary, the expenses of his office; and the President could refuse to enforce any of the decisions of the Supreme Court if this House would not enact articles of impeachment against him and, if so, one-third plus one of the Members of the other body would not impeach him. And the President could refuse to enforce any of the laws that we enact, if one-third, plus one, of the Members of the other body would sustain him and not impeach him.

If we of all the departments of the Government do not work together, Mr. Chairman, we cannot have the kind of government which God has blessed us with possessing under the Constitution of our country.

I am told that not once in our history has the Congress in spite against the decisions of the Supreme Court attempted to cut the salaries of the Supreme Court Justices.

Mr. Chairman, the decisions of the U.S. Supreme Court are not at issue here today. If they were, I would say thank God for them and for a court with the courage and character to make the Constitution a vital and living blessing to all the people of our land and to set a course in the protection of the freedom of all of

our people which the President and the Congress, although often tardily, have followed with increasing fidelity.

Mr. Chairman, in this critical time we need to remember the words of Mr. Justice Jackson, an earnest member of the Supreme Court, speaking at Nuremberg in the trial of the Nazi criminals, which I was privileged to hear:

> Let us pray that the day shall come when every man shall live by no man's leave underneath the law.

Let this House, at a time when we seek peace through law in the world, neither discredit the law nor fail to do our full duty in comity as a department of the Government by giving countenance to a spite attack upon those who preside in our own temple of justice dedicated to "equal justice under law."

Mr. MATHIAS. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Chairman, I have been listening to all these arguments that have been advanced concerning these Judges. I would like to say, that they mostly came from the government. We had recent appointments to the Supreme Court who came from the Federal Government. They received quite substantial increases when they took their positions. My point is that these judges have been promoted in public service from the lower courts, and they are being well paid for the service which they render.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I yield to the gentleman from Illinois.

Mr. YATES. One of the most recent appointees is Mr. Justice Goldberg. Mr. Justice Goldberg came to that Court after having been one of the Secretaries in the President's Cabinet, and before that he was a very highly paid lawyer in private practice. So the gentleman is incorrect in describing him as coming from the ranks of government.

Mr. KEITH. He came from the Department of Labor, and that Department paid him $20,000 a year.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I yield to the gentleman from California.

Mr. CORMAN. I have been hopeful I might find an argument to change the gentleman's mind. The Chief Justice took a cut when he came from California where he had served for many years.

Mr. KEITH. He got his pension from that position, and is being paid this pension in addition to his present salary, thereby giving him a very nice net income.

Mr. MATHIAS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I regret the fact that my distinguished colleague and friend from Florida made certain observations and taking the stand of bipartisanship, for which I join with him.

Mr. PEPPER. Mr. Chairman, if I said anything about Democrats and Republicans I am not aware of it. I was talking about the action of the other body as a body in not giving that increase which this House gave to the Justices of the Supreme Court. I was not talking about anything but the Constitution.

Mr. MATHIAS. I appreciate my good friend's clarification on that.

Mr. YATES. Mr. Chairman, I think I was the one who mentioned that, because of a statement made by one of the gentlemen on the other side of the aisle who talked about the apportionment bill being added to this bill.

Mr. MATHIAS. I want the record to be clear. There was reference to decreasing the salaries of the members of the Supreme Court. Of course, such decrease would be strictly prohibited by the Constitution.

Mr. Chairman, this is a bill which was foreseen by the defenders of this Republic at the time of the Constitutional Convention. One of the subjects that was discussed in the Constitutional Convention was the means of keeping the judiciary independent and thoroughly apart by insisting that the legislative body had the authority to increase but not decrease the salaries of judges.

He made the point that the value of money may alter and, as he put it, the state of society might change, which would require an increase. We have seen this happen.

Alexander Hamilton, writing in the Federal papers, made comment along the same line. He made it very clear that he felt it would be necessary under some conditions to adjust upward the salaries of the Federal judiciary in order to assure its independence.

George Washington himself has made a record on this in which he said in a letter dated April 3, 1790:

> I have always been persuaded that the stability of the National Government and consequently the happiness of the people of the United States would depend in a considerable degree on the interpretation of its laws. In my opinion, therefore, it is important that the judiciary system should not only be independent in its operation, but as perfect as possible in its formation.

I think the precedents are very clear that this Nation has been committed for years to an independent judiciary which should not be subject to attack on the basis of the popularity of its decisions. On this basis I support this bill.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from Illinois.

Mr. COLLIER. I wonder, in the light of what has been said, if we might be permitted to oppose this bill without being accused of vengeance or nitpicking. Those of us who voted against the 1964 pay raise bill and who are consistent in voting "no" today may do so for reasons that might have nothing whatsoever to do with the decisions or the conduct of the Court, might we not?

Mr. MATHIAS. Does the gentleman direct that question to me?

Mr. COLLIER. Yes, because up to now I have not heard anyone concede that a Member might vote against this on grounds of adequate compensation and benefits already provided.

Mr. MATHIAS. I think we are making this decision on the Constitution and the facts. I am sure the gentleman will act on that basis, as he always does.

Mr. COLLIER. Let me say that I do not resent any colleague questioning my judgment, but I resent their questioning my motivations.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. ICHORD].

Mr. ICHORD. Mr. Chairman, I have listened to the debate throughout the past 30 minutes. I certainly agree with the gentleman from Maryland and the distinguished chairman of the Judiciary Committee that we should not take into consideration any adverse feelings toward the decisions of the Supreme Court. But since the matter of qualifications has arisen, I am sure the gentleman from Maryland and the chairman of the Judiciary Committee will agree that the qualifications of the members of the Supreme Court do have a legitimate bearing on how much they should be paid. As I recall the Constitution, there are no qualifications established in the Constitution for a member of the Supreme Court. Am I correct in that belief, may I ask the gentleman from Maryland?

Mr. MATHIAS. That is correct.

Mr. ROGERS of Colorado. It does not require a lawyer.

Mr. ICHORD. Are there any statutory requirements?

Mr. MATHIAS. None that I know of.

Mr. ICHORD. Do not the gentleman from Maryland and the distinguished chairman of the Judiciary Committee feel that the men who are on the highest court of the land should have great and profound knowledge of both the Constitution and the law of the Nation? They should be men of great background in the law. They should be fair and impartial, and they should also be independent. But let us look at the experience of the present members of the Supreme Court.

At this time I will read to the gentleman from Colorado the prior judicial experience of the members of the Supreme Court:

Chief Justice Warren—none.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. ICHORD. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. The time is in control of the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I have yielded back the balance of my time.

Mr. MATHIAS. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri.

Mr. ICHORD. I thank the gentleman from Maryland for his courtesy.

I will continue reading the qualifications of the present members of the Supreme Court as to their prior judicial experience which I called to obtain when the question arose.

Chief Justice Warren—none.

Justice Black—1 year as a police judge in the city of Birmingham, Ala., from 1910 to 1911.

Justice Douglas—none.

Justice Clark—none.

Justice Harlan—1 year on the U.S. court of appeals, from 1954 to 1955.

Justice Brennan—1 year on circuit court of New Jersey, from 1949 to 1950;

Appellate Court of New Jersey, from 1950 to 1952; Supreme Court of New Jersey, from 1952 to 1956.

Justice Stewart—4 years on U.S. Court of Appeals, from 1954 to 1958.

Justice White—none.

Justice Goldberg—none.

I point out to the gentleman from Colorado that of the nine members of the U.S. Supreme Court, there is a total of 13 years' prior judicial experience if you count 1 year as a police judge for Justice Black in the city of Birmingham, Ala. And of those nine members, one member, Justice Brennan, has well over half of that total experience, he having 7 years prior judicial experience.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Does the gentleman base the qualification of Justices of the Supreme Court only on their prior judicial experience?

Mr. ICHORD. No, but I feel that the members of the highest Court of our land should have some prior judicial experience. I submit that this Congress has been derelict in its duty when it fails to set up any qualifications for members of the Supreme Court.

Mr. SMITH of Iowa. Mr. Chairman, there have been a number of anti-Supreme Court statements here today and also a few allegations that one's position on this bill is determined by one's attitude toward the Court. I want to make it clear that my vote on this bill is in no way a reflection of my attitude toward the Court and I do not think that is the basis for the position of very many Members. Certainly, salaries should never be determined by the popularity rating of judges' decisions.

Existing law provides the Associate Supreme Court Justices with $9,500 per year more in salary than is paid to district court judges and Members of the Senate and House of Representatives. They also receive considerably more than Cabinet members. I simply believe the differential in existing law is adequate.

Mr. RUMSFELD. Mr. Chairman, neither the popularity of certain Supreme Court decisions nor the pension the Chief Justice receives from the State of California should have any bearing on our deliberations here today with respect to H.R. 5374. Certainly this Member has no desire to punish or slap the Court. While I am opposed to this bill, my opposition is not based on any such unrelated arguments as those presented today, and I wish to disassociate myself from the arguments of those opponents of this measure who so obviously are of a different opinion.

I voted against both Government employee pay raise bills in the 88th Congress because they included substantial pay raises for Members of Congress and various other officials in a year when the Federal Government was incurring billions of dollars of debt, because I felt that the disparity between various levels and categories of Government officials needed adjustment, and for other reasons. I am opposed to this bill, which was a part of the previous bill when it passed the House because I am still of the same opinion. I do, however, regret that some seem determined to make opposition to this bill appear to be opposition to the Supreme Court, which is certainly not accurate in my case.

Mr. Chairman, had this bill been considered by the Post Office and Civil Service Committee, rather than the Judiciary Committee, possibly the debate would have centered on Government salary levels and other pertinent matters, rather than on the assorted unrelated topics which have occupied and confused the debate today.

Mr. OTTINGER. Mr. Chairman, I rise to deplore the defeat of legislation which would have provided salary increases for the Justices of the Supreme Court consonant with those granted all other Federal employees last year. This legislation was actually approved by this body last year.

One of the cornerstones of our American democracy is an independent and impartial judiciary. The Supreme Court of the United States is the highest court in our judicial system, and it is a hallowed and respected institution. It should not be subject to the shifting tides of politics.

Although many of our colleagues assert that they want an independent judiciary, it is apparent from the debate that what they want is a judiciary that agrees with them.

This was not the first time the Supreme Court has been attacked by Members of Congress, and it undoubtedly will not be the last. But to attempt to punish the Court by denying its Justices a salary increase afforded all other Federal employees not only is a petty, vindictive gesture, but an act which impairs the dignity of this House.

Mr. TENZER. Mr. Chairman, I feel that it is incumbent upon me to address myself to the disturbing remarks relating to the U.S. Supreme Court made on the floor of the House today. It has become all too commonplace to scoff at the High Court and at its distinguished and dedicated members in certain places, but I did not expect to hear what I heard on the floor today.

The House Judiciary Committee, of which I am proud to be a member, reported H.R. 5347, authorizing a salary increase of $3,000 per annum for the Justices of the Supreme Court. The bill was defeated by a vote of 203 to 177. I of course, respect the right of each of my colleagues to vote in accordance with his best judgment and as his conscience dictates. The outcome of the vote, though personally disappointing because of the injustice of last year's action, does not disturb me. What is disturbing was the tone of the debate—a tone not in keeping with the prestige of the House and the respect due the High Tribunal.

I do not quarrel with those whose argument during debate was addressed to the questions of economics or comparative salaries. But as a member of the bar, I am shocked at the lack of respect for the Court as an institution of our constitutional democracy.

When we entered upon our duties as Members of the House, an oath was administered—and we solemnly swore to support and defend the Constitution of the United States.

The Constitution provides for three distinct branches of government and defines the powers of each branch—the legislative, the executive, and the judicial. Like a three legged stool they support the structure of our democracy. We all know what happens if we remove one leg of a three legged stool. So it is with our Government. Each branch must respect the rights and powers of the other two, without which the structure of our democracy is weakened. It is all well and good to disagree—but, why can we not agree to disagree agreeably.

The Supreme Court has a responsibility to judge questions of constitutional law without regard to political or other pressures. For this very reason, the members of the Court are appointed for life so as to insure their independence.

Much of the criticism leveled against the Court during the past few years has been the result of a lack of understanding of its decisions.

The statements on the House floor, which implied that those Members who are attorneys had a special interest in the passage of H.R. 5347, were unfair and such statements were made without justification. Those who spoke irreverently of their colleagues, perhaps do not know that most lawyers never have the privilege of litigating or have proceedings before the Supreme Court. I have been a practicing attorney for 35 years and except for the occasion on which I was admitted to practice before that High Tribunal, I never had and do not now have any business before the Court.

As a new Member I prepared myself for the discharge of my duties and responsibilities by reading the rules of the House and Cannon's Procedure, including the rules relating to relevency in debate. Today the rules were honored in the breach. Speaker Henderson on February 1, 1900, said:

> Precedents should be followed where possible.

I suggest to my colleagues not to look to this debate for precedents, on how to conduct ourselves toward the other two branches of the Government, and toward our fellow Members of the House.

Those on the outside who oversimplify and pervert the decisions of the Court do so for a purpose—a purpose which is not in the best interests of our society. Those who cry out against the Court as being "soft on communism" or "for taking God out of the schools" or for protecting civil and human rights, have in most cases failed to read the decisions or tried to understand their full significance.

I urge my colleagues to serve our democracy by suggesting to their constituents that a visit to the Supreme Court when in session will be both beneficial and a rewarding experience. Many attorneys across the country may be interested in and should be informed of the procedures for admission to the Supreme Court. By so doing Members of Congress will be rendering a great service to

the people who want to learn more and more about our democracy.

I congratulate and commend the distinguished chairman of the Judiciary Committee, the gentleman from New York, for his untiring efforts in behalf of justice. I regret that the majority of the House did not vote favorably on H.R. 5347 but to him I say, may the Almighty bless you with many years of good health so that you may carry on with your mission, that of the strengthening of our democracy.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

All time has expired.

The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of title 28, United States Code, relating to the salaries of the Chief Justice of the United States and of the Associate Justices of the Supreme Court of the United States, is amended by striking out "$40,000" and substituting therefor "$43,000", and by striking out "$39,500" and substituting therefor "$42,500".

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to ask the gentleman from Maryland [Mr. MATHIAS], one of the strong supporters of the bill, since I have not heard anyone else mention it, on what grounds can you possibly justify a $3,000 per year pay increase coming as it does within less than a year of a pay increase of $4,500 per year for each member of the Supreme Court? How do you justify two pay increases in less than 1 year?

Mr. MATHIAS. I would say to the distinguished gentleman who, of course, follows very carefully the appropriations made by the House, that we are doing here what we attempted to do last year in giving to the Justices of the Supreme Court precisely the same increase that we gave to ourselves and to other Federal officials—another $7,500 additional.

This was cut down in the other body. We are merely trying to make up the cut which was made in the other body.

Mr. GROSS. Let me ask the gentleman another question. Why did you not wage this kind of a fight when the conference report came to the House last year? You knew and everyone in this Chamber knew that the other body had amended that bill to give members of the Court an increase of $4,500, and that had been accepted in conference. Why did you not make your fight last year, if it was so important?

Mr. MATHIAS. I might just say to the gentleman that I did not have the privilege of being a member of that conference committee.

Mr. GROSS. It was not necessary to be a member of the conference committee. The floor of the House was available to you to make the fight last year, but neither you nor any of the other proponents, so far as I know, made any fight whatever when the conference report came back here for approval.

You cannot justify this pay increase here today on the basis of the cost of living. You cannot justify it on any other grounds, so far as I know.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Alabama.

Mr. DICKINSON. I should like to ask the gentleman: If the Supreme Court wants to take unto itself legislative powers, why should the Justices not be paid as much as legislators?

Mr. GROSS. I agree with the gentleman, and point out that without this increase members of the Supreme Court will be paid far above Members of Congress.

I should like to ask the gentleman from Maryland another question, and let the record show I still have had no valid answer as to why you are here today trying to get another increase for the Justices of the Supreme Court.

When do the Supreme Court Justices go on vacation each year and how long are their vacations?

Mr. MATHIAS. I would say to the gentleman that the Court schedule is a published schedule. It is published and one can look at it in the papers every day to find out when the Court is sitting and is not sitting. The information is available as to the day and to the hour when Court is held.

Mr. GROSS. Is it not the fact that they leave Washington in June or perhaps July and come back in September or October? Is that not the way it operates? Is there anyone who can tell me how long a vacation the Supreme Court takes every year?

Mr. MATHIAS. As a matter of fact, I believe it may be that the Justices take some time off. I hope they do.

Mr. GROSS. Who else gets that kind of a vacation in government?

Mr. MATHIAS. Does the gentleman want me to answer, or does the gentleman not want me to do so?

Mr. GROSS. Who else gets that kind of a vacation?

Mr. MATHIAS. I happen to know, from personal experience, that when the Justices are on vacation they are also engaged in duty. They are discharging Court functions, though they are outside the city of Washington.

Mr. GROSS. Is the Chief Justice, when he is over in Paris or on the Riviera, transacting business for the Supreme Court of the United States? Is that what the gentleman is trying to tell me?

Is Justice Douglas, when he is climbing a mountain, as he was a few weeks ago, when the Court was supposed to be in session, transacting the business of this country's Supreme Court?

Mr. BURTON of Utah. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Utah.

Mr. BURTON of Utah. Whatever the length of their vacation is, it is not long enough.

Mr. GROSS. I agree with the gentleman.

Mr. Chairman, there is no justification for this proposed pay increase on the basis of cost of living or any other basis. The Judiciary Committee, if it was doing its homework properly, should be here with a bill to provide that Justices of the Supreme Court contribute as do Members of Congress and other Federal employees to the retirement system. It is an unconscionable situation that permits them to retire and draw their full salaries of $40,000 and $39,500 per year without having contributed a single penny to a retirement fund. Add to this the fact that they hold appointments for life; they can only be removed for cause.

For these and other reasons, to now give them a $3,000 increase each on top of the $4,500 increase of only a few months ago, is unthinkable. This bill ought never to have been brought to the floor of the House and it ought to be promptly tossed in the discard.

Mr. UDALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as I recall, for the enlightenment of the gentleman from Iowa, the Members of this House recessed on about the 6th of October last year. I did not consider those 90 days or whatever they were as a vacation. I did not consider the month or two or three that we had a couple of years ago in the off year a vacation.

Salaries of most public officials continue when they have a vacation.

As the gentleman from Maryland pointed out, the Court has important duties. The only things that cease during the summer recess are the hearings and the actual handing down of decisions. The work of the Justices does not cease.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Iowa.

Mr. GROSS. These Justices of the Supreme Court have lifetime tenure.

Mr. UDALL. They do, indeed.

Mr. GROSS. They were not called upon to campaign for reappointment. They can take a vacation, and they do.

Mr. UDALL. They do not have to campaign.

Mr. GROSS. They can only be removed for cause.

Mr. UDALL. I suspect they would be in some trouble if they had to campaign in some parts of this country.

Mr. JOELSON. Mr. Chairman, will the gentleman yield for a brief observation?

Mr. UDALL. Yes. I yield to the gentleman from New Jersey.

Mr. JOELSON. I recall last summer the Chief Justice was working on the Warren Commission report.

Mr. UDALL. I thank the gentleman for that comment.

I simply wanted to say that this is not only St. Patrick's Day, but it occurs to me it is "Kick the Supreme Court in the Pants Day" as well. We have had a field day here and have had a nice time. I hope everyone feels better getting it out of their system.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. UDALL. Yes. I yield to the distinguished majority leader.

Mr. ALBERT. Of course, we all respect both the motives and the judgment of every Member of the House, but it seems to me that in trying the Supreme Court Justices here on a measure of this

kind we might be trying ourselves if we do not act judiciously on this bill.

Mr. UDALL. Right. I thank the gentleman and I agree with him on it.

This Court we have is composed of nine men, and they are the only people affected by this bill. This group of nine men consists of appointees of President Roosevelt, appointees of President Truman, appointees of President Eisenhower, and two appointees of President Kennedy. These men were appointed by Presidents, four different Presidents, and while I do not support all of their decisions, still I think that the Court as an institution ought to deserve the respect of Congress. I think the gentleman from Oklahoma [Mr. ALBERT] put it rather well. I would say to the gentleman from Illinois [Mr. COLLIER] that I respect the motives of those who honestly think the pay scales are too high.

There are many of my friends here who felt the Supreme Court pay scale was too high. I think there are others who may have been motivated in the other body last year when they cut this down and some in this body perhaps by a feeling that the Supreme Court decisions were not correct. However, I ask is not the question here really what is a Supreme Court judge worth if he is qualified to be on that Court? That is the test. Any man here can think of someone he would like to see on the Supreme Court and those who may consider voting against this bill because you are opposed to some decision of the court might well ask yourselves the question, would you vote for this pay scale provided in this bill if the kind of person with the kind of qualifications that you think they ought to have were on the Supreme Court? I think if you will ask yourselves this question in good conscience, that there will be a large majority of this House who will support the legislation. I certainly shall.

Mr. JONES of Missouri. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I listened with interest when the chairman of the distinguished Committee on the Judiciary was making his talk here, reminding us of Oliver Wendell Holmes; and I can understand why he reached back into history to try to bring us to that great appreciation and respect for the Supreme Court we should have. I used to have profound respect for the Supreme Court, but I am sad to say that I do not any more. The reason I do not is because I do not think that Court is performing the duties which the Constitution set forth they should perform. I am not a lawyer and I do not have to butter up the Supreme Court. I am here to represent the people of the 10th Congressional District of Missouri. I doubt if there are very many people there who not only do not approve of what the Supreme Court has done but are not impressed with the caliber of some of the members who are on that Court, and are opposed to increasing their salary. For that reason I intend to vote against this bill. I think that this House had an opportunity to act last year. The question was asked why did not somebody try to get the conference report of last year turned down when it was brought back to the House. I think you realized that you did not have a very good case. I have not heard many people here today defending the present Supreme Court. Why? Because the Supreme Court has gone beyond its duties. They have attempted to, and have successfully in some instances, taken over the legislative duties of this Congress, and I think that one way we have of expressing ourselves on this matter here today on this bill.

I was disappointed that some of the people here who told me they were going to vote against the bill did not vote against the rule. That is where we should have stopped this thing right in its tracks.

I do not know why the great Judiciary Committee does not take some action to try to get the Supreme Court back in line, why we cannot have them act as a judicial body instead of a legislative body. Someone may say that I am emotional about this. I am very emotional about it. I want to see the Supreme Court get back to the time when we had those distinguished jurists whom the distinguished chairman of the Committee on the Judiciary mentioned a minute ago when he was making his speech. I thought then that maybe he was going to try to make this bill retroactive, to give the heirs of former members of the Supreme Court the benefit of these increases. Have we not done enough for the Supreme Court? I do not feel sorry for any of these men at all.

The gentleman from Missouri [Mr. ICHORD] pointed out that the total judicial experience of all of the members of the Court was approximately 14 years or less and half of that by one man.

I know that lawyers at times get very frustrated when they read the decisions of former Supreme Courts and then find that those decisions have been overturned. We do not know what the law of the land is. We wait for the Supreme Court to legislate to tell us what they think it should be.

I do not have to try to "butter up" somebody or get in the good graces of the Court. I am here to represent the people of the 10th Congressional District of Missouri. I intend to vote the way I feel they want me to vote. That is the way I am going to vote here today. I am going to vote against this bill, and I hope the other Members who feel that way will vote this bill down, as it should be.

The Clerk read as follows:

Page 1, line 9:

"SEC. 2. The increases in compensation made by this Act shall become effective on the first day of the first pay period which begins on or after January 1, 1965."

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. DENT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 5374) relating to the salaries of the Chief Justice of the United States and of the Associate Justices of the Supreme Court of the United States, pursuant to House Resolution 276, he reported the bill back to the House.

The SPEAKER. Under the rule the previous question is ordered.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Th SPEAKER. The question is on passage of the bill.

The question was taken and the Speaker announced that the "ayes" had it.

Mr. WAGGONNER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 178, nays 202, not voting 53, as follows:

[Roll No. 39]

YEAS—178

Adams	Grabowski	Nedzi
Addabbo	Green, Oreg.	Nix
Albert	Green, Pa.	O'Brien
Anderson, Tenn.	Grider	O'Hara, Ill.
Annunzio	Griffin	O'Hara, Mich.
Ashley	Griffiths	Olsen, Mont.
Aspinall	Hagen, Calif.	Ottinger
Bates	Halpern	Patten
Bell	Hamilton	Pepper
Bingham	Hanna	Perkins
Blatnik	Hansen, Wash.	Pickle
Boggs	Hathaway	Pike
Bolling	Hawkins	Pool
Brademas	Hechler	Price
Brooks	Helstoski	Race
Burke	Holifield	Reid, N.Y.
Burton, Calif.	Howard	Resnick
Byrne, Pa.	Huot	Reuss
Byrnes, Wis.	Irwin	Rhodes, Pa.
Cahill	Jacobs	Rivers, Alaska
Cameron	Jarman	Rodino
Celler	Joelson	Rogers, Colo.
Clevenger	Johnson, Calif.	Rooney, N.Y.
Cohelan	Johnson, Okla.	Rosenthal
Conyers	Karsten	Rostenkowski
Corman	Kastenmeier	Roush
Culver	Kee	Ryan
Curtis	Keogh	St. Onge
Daddario	King, Calif.	Scheuer
Daniels	King, Utah	Schmidhauser
Dawson	Krebs	Senner
Delaney	Leggett	Sickles
Dent	Lindsay	Sisk
Denton	Long, Md.	Slack
Diggs	Love	Smith, N.Y.
Dow	McCarthy	Stafford
Duncan, Oreg.	McClory	Stalbaum
Dwyer	McCulloch	Stratton
Dyal	McDowell	Tenzer
Edmondson	McFall	Thomas
Edwards, Calif.	McGrath	Thompson, N.J.
Erlenborn	McVicker	Thompson, Tex.
Evans, Colo.	Machen	Todd
Farbstein	Mackie	Trimble
Farnsley	Madden	Tunney
Farnum	Mailliard	Tupper
Fascell	Mathias	Udall
Foley	Matsunaga	Ullman
Ford, Gerald R.	Meeds	Van Deerlin
Ford, William D.	Miller	Vanik
Fraser	Minish	Vigorito
Frelinghuysen	Mink	Vivian
Gallagher	Monagan	Walker, N. Mex.
Giaimo	Moorhead	Weltner
Gibbons	Morgan	White, Idaho
Gilbert	Morse	Wolff
Gilligan	Mosher	Wyatt
Gonzalez	Moss	Yates
	Multer	Young
	Murphy, Ill.	Zablocki

NAYS—202

Abbitt	Andrews, George W.	Andrews, N. Dak.
Abernethy	Andrews, Glenn	Arends
Adair		Ashbrook
Anderson, Ill.		

Ashmore	Gathings	O'Konski
Baldwin	Gettys	Olson, Minn.
Bandstra	Goodell	O'Neal, Ga.
Baring	Gray	Passman
Battin	Greigg	Patman
Beckworth	Gross	Pelly
Belcher	Grover	Pirnie
Bennett	Gubser	Poage
Berry	Gurney	Poff
Betts	Haley	Quie
Bolton	Halleck	Quillen
Bow	Hansen, Idaho	Randall
Bray	Hansen, Iowa	Redlin
Brock	Hardy	Reid, Ill.
Brown, Ohio	Harris	Reifel
Broyhill, N.C.	Harsha	Reinecke
Broyhill, Va.	Harvey, Ind.	Rhodes, Ariz.
Buchanan	Harvey, Mich.	Roberts
Burleson	Hays	Robison
Burton, Utah	Hébert	Rogers, Fla.
Cabell	Henderson	Rogers, Tex.
Callan	Hicks	Roudebush
Callaway	Horton	Rumsfeld
Casey	Hosmer	Satterfield
Chamberlain	Hull	Saylor
Chelf	Hungate	Schisler
Clancy	Hutchinson	Schneebeli
Clark	Ichord	Schweiker
Clausen, Don H.	Jennings	Scott
	Johnson, Pa.	Secrest
Clawson, Del	Jonas	Selden
Cleveland	Jones, Ala.	Shipley
Collier	Jones, Mo.	Shriver
Colmer	Karth	Skubitz
Conable	Keith	Smith, Calif.
Cooley	King, N.Y.	Smith, Iowa
Corbett	Kornegay	Smith, Va.
Cramer	Kunkel	Springer
Cunningham	Laird	Staggers
Curtin	Landrum	Stanton
Dague	Langen	Steed
Davis, Ga.	Latta	Stubblefield
Davis, Wis.	Lennon	Sullivan
de la Garza	Lipscomb	Talcott
Derwinski	Long, La.	Taylor
Devine	McEwen	Teague, Calif.
Dickinson	McMillan	Teague, Tex.
Dingell	MacGregor	Thompson, La.
Dole	Mackay	Thomson, Wis.
Dowdy	Mahon	Tuck
Downing	Marsh	Tuten
Dulski	Martin, Ala.	Utt
Duncan, Tenn.	Martin, Nebr.	Waggonner
Ellsworth	Matthews	Walker, Miss.
Everett	Michel	Watkins
Evins, Tenn.	Mills	Watts
Feighan	Minshall	Whalley
Findley	Moeller	White, Tex.
Fino	Moore	Whitener
Fisher	Morris	Williams
Flynt	Morrison	Wilson, Bob
Fountain	Murphy, N.Y.	Wilson, Charles H.
Fulton, Pa.	Murray	
Fulton, Tenn.	Natcher	Wydler
Fuqua	Nelsen	Younger

NOT VOTING—53

Ayres	Garmatz	Pucinski
Barrett	Hagan, Ga.	Purcell
Boland	Hall	Rivers, S.C.
Bonner	Hanley	Ronan
Broomfield	Herlong	Roncalio
Brown, Calif.	Holland	Rooney, Pa.
Carey	Kelly	Roosevelt
Carter	Kirwan	Roybal
Cederberg	Kluczynski	St Germain
Conte	McDade	Sikes
Craley	Macdonald	Stephens
Donohue	Martin, Mass.	Sweeney
Dorn	May	Toll
Edwards, Ala.	Mize	Whitten
Fallon	Morton	Widnall
Flood	O'Neill, Mass.	Willis
Fogarty	Philbin	Wright
Friedel	Powell	

So the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Kirwan for, with Mr. Rivers of South Carolina against.

Mr. Pucinski for, with Mr. Whitten against.

Mr. Fogarty for, with Mr. Stephens against.

Mr. Martin of Massachusetts for, with Mr. Dorn against.

Mr. Conte for, with Mr. Hagan of Georgia against.

Mr. Widnall for, with Mr. Bonner against.

Mr. Garmatz for, with Mr. Hall against.

Mr. Barrett for, with Mr. Broomfield against.

Mr. St Germain for, with Mr. Sikes against.

Mr. Fallon for, with Mr. Mize against.

Mr. Friedel for, with Mrs. May against.

Mr. Flood for, with Mr. Edwards of Alabama against.

Mr. Macdonald for, with Mr. Herlong against.

Mr. Morton for, with Mr. McDade against.

Until further notice:

Mr. Wright with Mr. Ayres.

Mr. Roosevelt with Mr. Carter.

Mr. Willis with Mr. Cederberg.

Mr. Donohue with Mr. Holland.

Mr. Philbin with Mr. Roybal.

Mr. O'Neill of Massachusetts with Mr. Ronan.

Mr. Hanley with Mr. Carey.

Mr. Toll with Mrs. Kelly.

Mr. Rooney of Pennsylvania with Mr. Craley.

Mr. Boland with Mr. Powell.

Mr. Kluczynski with Mr. Sweeney.

Mr. Brown of California with Mr. Purcell.

The result of the vote was announced as above recorded.

The doors were opened.

GENERAL LEAVE TO EXTEND

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks in the RECORD on the bill just considered.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from New York?

There was no objection.

MARINE EXPLORATION AND DEVELOPMENT OF CONTINENTAL SHELF

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from further consideration of the bill (H.R. 5884) to provide a program for the marine exploration and development of resources of the Continental Shelf and that the bill be re-referred to the Committee on Merchant Marine and Fisheries.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

PROFESSIONAL PHOTOGRAPHY WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the resolution (S.J. Res. 47) to authorize the President to designate the week of May 2 through May 8, 1965, as "Professional Photography Week," and ask for its immediate consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the joint resolution, as follows:

Whereas professional photography is vital to the economy and welfare of our Nation, touching upon every aspect of this country's economic, scientific, industrial, and family life; and

Whereas one hundred and fifty thousand men and women are engaged in the practice of professional photography; and

Whereas a billion-dollar industry is generated and supported by the activities of the professional photographer; and

Whereas the work of the professional photographer is used by industry in product design, research, manufacture, the promotion of safety, training, purchasing, and sales; and

Whereas professional photography communicates and educates and illustrates in advertising, in our courts, on our farms; and

Whereas in our reach toward outer space, in our search of the oceans' depth, and in research in our hospitals and laboratories throughout the land the professional photographer serves the cause of science; and

Whereas the professional photographer records history for our edification today and the benefit of our posterity; and

Whereas professional photography as an art form has enriched the cultural life of America; and

Whereas professional photography continues in its traditional role of remembrance and recording those we love: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That as a tribute to the professional photographer and his many works and in recognition of the importance of professional photography in our life today and in America's future, the President is authorized to issue a proclamation designating the week beginning May 2 through May 8, 1965, as Professional Photography Week, and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

The joint resolution was ordered to be read a third time, was read the third time, and passed and a motion to reconsider was laid on the table.

REPEAL OF CERTAIN EXCISE TAXES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, members who are interested should consider signing one or both of the petitions on the Clerk's desk that are intended to bring up for consideration on the floor of the House under the discharge rule the question of repealing certain excise taxes.

January 4, when Congress met, I introduced H.R. 7 to repeal the retailer's excise taxes on toilet preparations, jewelry and related items, ladies handbags, luggage and the like, and furs and fur-trimmed coats.

Thirty legislative days after the bill was introduced, I placed petition No. 2 on the Clerk's desk, to discharge the Committee on Ways and Means from further consideration when the petition is signed by 218 Members, which of course would bring it up before the House under the discharge rule.

When petition No. 2 for discharge was filed, I also filed a rule which went before the Rules Committtee. At the end of 7 legislative days, a discharge petition was filed, petition No. 4, to discharge

the Committee on Rules when 218 Members have signed the petition. The rule will permit the bill to be taken up and voted on, up or down, without amendments, as tax bills are usually handled, except one motion to recommit.

A search of the records discloses that since this Congress met, 103 bills involving repeal of certain excise taxes have been introduced by 103 Members of the House, 58 Democrats and 45 Republicans.

SMALL BUSINESS

Small business concerns over the Nation are especially interested in getting the provisions of H.R. 7 adopted. It is believed that these particular excise taxes should be repealed without further delay since they are the most troublesome and cause the greatest injustices among the excise taxes.

The National Association of Retail Druggists, representing 40,000 independent small businessmen throughout the Nation, in its bulletin of January 6, 1965, issued by Willard B. Simmons, executive secretary, stated:

A bill to repeal the Federal excise tax on cosmetics, toiletries, leather goods, etc. has been introduced in the House of the Congress by Representative WRIGHT PATMAN of Texas. The measure is expected to be enacted since President Johnson favors the legislation and he has so declared himself in a public statement. Nevertheless it is necessary for the retailers of the country to join in an aggressive campaign to expedite the passage of the bill. The measure is identified as H.R. 7.

The repeal of the retail excise tax is long overdue. It was enacted to provide additional revenue for the expenses of war and the original levy was 20 percent. It was reduced to 10 percent through the efforts for the most part of the NARD.

The reduction in the amount of the levy has not changed the nuisance and liability that the retailers of the covered products have to endure. Merchants in general have continually leveled words of anger in denunciation of the Federal excise tax levy. For a long time they had to endure the resentment of customers from whom the excise tax levy was collected. Cosmetics in particular are necessaries to women and to classify them as luxuries is unfair. It never could be defended as a legitimate levy except for revenue in the period of a war.

The National Association of Retail Druggists has advocated the repeal of these taxes for a number of years, and now the association will naturally make a special effort to get Members of the House to do what is necessary to get the repeal enacted into law as quickly as possible.

In addition to the druggists, there are many other small business organizations interested in repeal of these particular excise taxes, who will also make a special effort to get consideration from Congress as soon as possible.

Any Member of the House who is interested should either consider signing petition No. 2 or petition No. 4, or both. Possibly we should give consideration to making a special effort to get petition No. 4 signed by 218 Members and get it up as quickly as possible, and give the Committee on Ways and Means further time to consider repealing other excise taxes.

HOW MEMBERS SIGN PETITION

As each Member of the House knows, in order to sign a discharge petition, it is necessary that the Member make a request at the Clerk's desk when the House is in session and ask for the petition for the purpose of signing it. This, of course, can only be done while the House is in session. That is the reason it is so difficult to get a petition signed. If a petition could be carried around to the Members, it would be a much easier matter, but this cannot be done. It must be signed while the House is in session. That creates quite a deterrent, and this difficulty should be brought to the Member's attention.

WHEN DISCHARGE PETITION TAKEN UP

Discharge petition day is on the second and fourth Mondays of every month that Congress is in session. In order for a petition to be considered on discharge calendar day, it must be on file 7 legislative days preceding. That means if we are to get the bill up on April 26—a discharge committee calendar day—we must complete the 218 signatures by April 8, which would permit it to go into the RECORD that night. That would allow for 7 legislative days that the House could be in session preceding April 26 and would assure the bill coming up on April 26.

So the challenge is to women who feel discriminated against, small businessmen, and others who are particularly concerned about this proposal, to try to persuade 218 Members of the House to sign discharge petition No. 4—or petition No. 2—before the House adjourns for the day on April 8.

ELIMINATION OF FEDERAL EXCISE TAXES ON CERTAIN ITEMS

The present ad valorem tax rate on these items in H.R. 7 is 10 percent. These items have been subjected to a discriminatory so-called luxury tax for over 20 years, first imposed in 1943 as an emergency measure to quickly raise additional wartime revenue. After the war ended the tax was retained as an anti-inflationary measure against tremendous pent-up consumer purchasing power. All during this time and up until 1954 the items in my bill were taxed at a stiff 20 percent, Mr. Speaker. Finally, in 1954, Congress in its wisdom reduced the ad valorem rate on these items to 10 percent. But even 10 percent is unreasonably high and constitutes in truth not a tax but an actual penalty. It is time that the Congress again gave this matter its careful attention after the passage of nearly 11 years. Mr. Speaker, my bill proposes that the Federal excise tax on these items be abolished entirely. I sincerely believe that the reasons are persuasive for immediate elimination of this annoying and onerous burden, and I am happy to note that the administration strongly supports my position.

Removal of these Federal taxes will relieve the Nation's consumers of a burden of approximately $550 million a year. This will give needed stimulation immediately to consumer purchasing power and will thus contribute to business activity and employment. Our strongest antipoverty remedy is a prosperous economy.

However, many authoritative sources, both in and outside Government, are seriously concerned whether our present high level of economic activity will continue throughout 1965. Unless we can maintain this level, our overall prosperity will be in jeopardy and unemployment, already too high, will no doubt zoom as recession sets in.

So the reasons for first having such a tax no longer exist. The Nation is not in a military emergency as we were in 1943, nor do we any longer have a valid reason to discourage the purchase of the items listed in my bill. Our present economic expansion which has continued for more than 4 whole years has been remarkably free of inflationary tendencies. Therefore, since there are no genuine justifications of these taxes, it is obvious then that they constitute unfair discrimination of the worse sort and Congress should wake up to this fact.

In summary, and as has been repeated before, removal of these taxes on these items, many of which are not and never were "luxuries", but are necessities, will stimulate business and employment, not only in those industries directly affected, but also in other industries, since consumers will pay less for many of these items and have more money left over for purchases of other items. Some of these taxes enter directly into business costs and a reduction of such costs is desirable. Furthermore, this reform would provide a more equitable tax system by removing those unjustifiable and discriminatory high tax rates.

So I hope that the Members when they consider this bill will agree that these nuisance taxes ought to be repealed and thus give the economy a boost at a time when it is most needed.

FREEDOM MARATHON

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, last evening at the entrance of the White House a symbolic freedom torch was handed to President Johnson's assistant, Clifford Alexander, by a group of young runners who had carried the unlighted torch in relays from the George Washington Bridge in New York City to Washington. It was a thrilling sight to see the completion of this freedom marathon at about 6:15 p.m. on March 16. It had started on Sunday, March 14 at about 9:45 p.m. Eighteen runners—dedicated young men and women—traversed the 230 miles along Route 1 through rain and snow, darkness and daylight, to demonstrate the depth of the outrage of the youth of New York about the tragic events in Selma. The runners were joined in Baltimore by a courageous young woman student from Morgan State College.

The freedom marathon was sponsored by the Adult Volunteer Service Corps

and executed by the Youth Leadership Corps. Both of these volunteer corps are under the direction of the Volunteer Services Department of the Associated Community Teams, a project dedicated to improving the Harlem community which was initiated under the President's Committee on Juvenile Delinquency and Youth Crime.

The following 18 runners participated in the run from the George Washington Bridge to the White House: Joseph Batchelor, Carol Cruthers, Bruce Dancis, Jerrome Duncan, James Hardy, Ronald Harris, Dwight Loines, Paul McCall, Gerald Mitchum, Grady Parker, Tripplett Perry, Alvin Powers, Jr., Gloria Schrouder, Don Shepherd, Anthony Spencer, Patricia Stitt, Leonard Sullivan, and Vivian Waller.

The runners were accompanied by Carl Johnson, associate director of ACT; Miss Gwendolyn Jones, director, volunteer services department; Miss Ethel George, chairman, Adult Volunteer Service Corps; Carole Aldridge, Gladys Harrington, Georgia L. McMurray, Art Edwards, and Bill Smith.

The unlighted torch represented the snuffing out of freedom and liberty in Alabama. When Anthony Spencer, in presenting the freedom torch to the President's assistant, urged that President Johnson light it and keep the flame of freedom and liberty burning, he spoke for all Americans. I want to commend the Youth Leadership Corps under the presidency of James Hardy and all those who were involved for their initiative and determination.

At this time of national outrage over the denial of human rights it is heartening to witness the bonds which tie the citizens of New York to the courageous people of Selma whose rights are so flagrantly trampled. The commitment shown by the freedom runners deserves the respect and admiration of all Americans.

Mr. Speaker, I include at this point in the RECORD the statement addressed to the President of the United States which was presented by Miss Ethel M. George, chairman, Adult Volunteer Service Corps:

TEXT OF STATEMENT PRESENTED TO THE PRESIDENT, MARCH 16, 1965

Mr. President, we present this unlit freedom torch in protest to the atrocities which have been perpetrated on the citizens in Selma, Ala., and also in a demonstration of massive unity and support with Negroes throughout the South in their struggle to exercise one of their basic and paramount civil rights—the right to register and vote. We, the Adult Volunteer Service Corps of the Associated Community Teams, along with many supporters of our young freedom runners, started this historic relay marathon from the George Washington Bridge with an unlit torch. At the other end of this island of intrigue, New York City, there stands a lady with a welcoming torch of hope and liberty for millions who have come from foreign shores seeking human fulfillment.

The invitation sent out by this lady reads as follows:

"Not like the brazen giant of Greek fame
With conquering limb astride from land to land;
Here at our sea-washed, sunset gates
Shall stand a mighty woman with a torch, whose
Flame is the imprisoned lightning,
And her name, Mother of Exiles.
From her beacon hand glows world-wide welcome;
Her mild eyes command the air-bridged harbor
That twin cities frame.
'Keep ancient lands, your storied pomp!' cries she, with silent lips.
'Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost to me,
I lift my lamp beside the golden door!'"

Sir, when we started out on this long and dark marathon, we, the Negroes in this country did not have a lighted torch. Whatever flicker of liberty the Negro has had in this country has been extinguished by the assassins of the many soldiers for freedom such as Medgar Evers, Mack Parker, John F. Kennedy, and our most recent, the Reverend J. Reeb. Whatever ray of light the Negro might have had has been put out by the flagrant disobedience of human laws by elected officials who choose to be elected by a selected group of their constituency. Second, we come in support of the legislative proposals which you presented to the joint session of Congress last evening. We, too, believe that our Federal Government must now take measures to insure that every citizen is allowed to exercise his basic constitutional right to vote.

We, therefore, appeal to you, Mr. President, as our highest Executive of this Nation and the pace setter of the free world, to use your influence of your office so that, indeed, the dream will become a fact "We shall overcome."

ETHEL M. GEORGE,
Chairman, Adult Volunteer Service Corps.

INDUSTRIAL PROGRESS IN THE MARK TWAIN REGION OF MISSOURI

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, I would like to call the attention of this body to the industrial progress being made in the Mark Twain region of Missouri, thanks to the cooperative efforts of the Hannibal, Mo., business community, the Missouri State government, and the industrial concern involved—the American Cyanamid agricultural division of Princeton, N.J.

Business, government, and community leaders joined with officials of American Cyanamid Co., on March 12, in ceremonies marking the start of construction at the Marion County site of a major nitrogen products complex scheduled to be operational in the spring of 1966.

Gov. Warren E. Hearnes played a major role in extending the State's official welcome to the Hannibal area's newest industry. He offered Cyanamid officials the "full measure of Missouri hospitality" and noted "it is significant and satisfying that one of the Nation's major industries has chosen to take advantage of Missouri's excellent industrial facilities."

Clifford D. Siverd, general manager of Cyanamid's agricultural division at Princeton, N.J., described the plant as the company's largest venture in Missouri and that it held "the greatest potential for growth." He said the unit would be one of the largest of its kind serving the Midwest and would become the focal point for "our agricultural marketing activities geared to serve the growing needs of the Midwest heartland."

The Hannibal plant was announced by Cyanamid in November as part of a $60 million program to expand the company's manufacturing capacity for agricultural and industrial chemicals.

The plant will have storage for 25,000 tons of ammonia, barged upriver from Cyanamid's Fortier plant near New Orleans, and will produce 133,000 tons of ammonium nitrate fertilizer annually. It is scheduled to be in operation in the spring of 1966.

Citing the future growth potential, Siverd noted Cyanamid's history as a pioneer in agriculture. "The company was established in 1907 to manufacture the first commercially practical synthetic nitrogen fertilizer," he said, "and our growth has kept pace with progress. Today, the company's agricultural division is one of the world's largest suppliers of agricultural chemicals."

MRS. ARABELLA DENNISTON

Mr. LONG of Maryland. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. LONG of Maryland. Mr. Speaker, Mrs. Arabella Denniston, my assistant since 1963, died last Friday. She was a warm-hearted and lively person, never too busy to hear people's problems and to give what help was needed. In the 2 years she served with me since retiring as administrative secretary to the National Council of Negro Women, Mrs. Denniston assisted hundreds of workers in winning jobs with Government and private industry. Her many friends in the Baltimore area and in our Capital mourn her. Her associates on my staff mourn her. I mourn her. Since Mrs. Denniston died in the service of the House of Representatives, it is fitting that her obituary, and the memorial of her church, be published in the CONGRESSIONAL RECORD:

[From the Washington (D.C.) Post, Mar. 14, 1965]

ARABELLA DENNISTON, 61, AID TO CONGRESSMAN

Arabella L. Denniston, 61, staff aid to Representative CLARENCE D. LONG, Democrat, of Maryland, died of cancer Friday in Providence Hospital, where she had been confined since early January. She lived at 2505 13th Street NW.

She was for many years administrative secretary of the National Council of Negro Women, serving as personal confidant to Mary McLeod Bethune, noted educator and founder of the organization, who died in 1955.

Born in Daytona Beach, Fla., Mrs. Denniston was educated at the Daytona Educational and Industrial Training School for Negro Girls, which later became Bethune-Cookman College.

Before coming to Washington in 1935, she served as secretary to A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters, AFL–CIO; Lester Granger, executive director of the National Urban League; and Frank Crosswaith of the Negro Labor Committee in New York City.

In 1936, when President Roosevelt named Mrs. Bethune Director of the National Youth Administration's Division of Negro Affairs, Mrs. Denniston became Mrs. Bethune's confidential secretary.

Her duties kept her in close contact with the White House, Senators, Congressmen, and top Government officials, including Lyndon B. Johnson, then director of the NYA in Texas.

In 1963, Representative LONG appointed Mrs. Denniston to be his personal staff liaison for human relations problems in Federal agencies.

During her illness, Mrs. Denniston received get-well messages from Mrs. Lyndon B. Johnson, Vice President HUBERT HUMPHREY, Maryland Gov. J. Millard Tawes, House Speaker JOHN MCCORMACK, and Maryland Senators JOSEPH D. TYDINGS and DANIEL BREWSTER.

Mrs. Denniston was a member of Plymouth Congregational Church and editor of the church newspaper, the Plymouth Prompter.

She was a life member of the National Council of Negro Women, and a founding member of the Metropolitan Women's Democratic Club. She belonged to the Washington chapter of the Negro Business and Professional Women's Clubs.

She leaves two sister, Addie M. Bomar, of New York, and Vernita H. Walker, of Boston.

Contributions may be made to the Arabella L. Denniston memorial fund of Plymouth Congregational Church, 5313 North Capitol Street.

IN MEMORIAM

Mrs. Arabella Denniston, chairman of publicity committee, died on March 12, 1965, at Providence Hospital after an illness of 2 months.

Do not grudge Arabella her rest. She has at last become free, safe and immortal, and ranges joyous through the boundless heavens; she has left this low-lying region and has soared upward to that place which received in its happy bosom the souls set free from the chains of matter.

Arabella has not lost the light of day, but has obtained a more enduring light. She has not left us but has gone on before.

But we know Arabella Denniston as a smiling and sure person. Several years ago she slipped quietly into our midst. Almost immediately, the church program gleamed with a new brightness. She has moved just as quietly and just as surely into the central focus of a host of church activities. The skill of her touch and the depth of her planning have helped to entrench Plymouth Congregational Church in the highest levels of Christian endeavor.

Many have joined her swift and energetic pace in motivating the countless projects in which she has been involved. There is the "pink tea," a most successful venture, and the publicity committee in which her arts of persuasion mingled with a single minded drive, spurs on her sometime weary associates to successfully chronicle the events of the church.

With deep devotion to her church, she inspires those around her to share some of the multiple duties. There is a certain assurance that with the investment of energy, time, dedication, replete with the absence of great skills and vaults of funds, that in some way success can be achieved. And such it has been. Doubtless there is a reason for such an infectious determination to success.

Certainly it is the clear sincerity which she brings to all she meets. Without affectation or pretense, there is a warmth of personality. The personality combines with a simple charm implemented by tremendous persuasive power. It is this inspirational force which brings to her side the minds and hands of the gifted and the not so gifted in her undertakings.

Hers is a name which rolls off the tongue attended by love and affection. For she has toiled mightily in the vineyard for the oppressed children of God. It is the understanding heart which has itself endured the trial and knows and accepts the costs of deliverance.

We join in the tribute to Arabella for being the person she is; for conceiving the kind of job she has done and for those of us she has touched as she moves up life's pathway. Her touch, no less than others to whom homage is due, has reached into the streets, the roadways, the homes great and small which nestle beside them, and into the hearts of those who look from the window to see the coming of the night.

ONE OF THE GREAT ORATIONS OF THE AGES

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, the test of oratory is the sense of sincerity it imparts to the listeners. Spontaneous applause, a universal arising to the feet and loud clapping of the hands, all without planning or prior intent, comes only when the words of the speaker, coined in the well of sincerity, match the unspoken sentiments in the hearts of the audience.

President Johnson's address to the Congress and the American people, was a great jury talk.

By all the recognized standards of true oratory it was one of the great orations of the ages.

SOIL CONSERVATION

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, I know that Members of this body have always given strong support to the conservation and development of this Nation's soil and water resources. In my opinion this has been the foundation, the base, if you please, for the phenomenal growth and development of our country. A study of history reveals to us that no nation has ever been able to develop industry or provide its people with a high standard of living until it first had a dependable supply of food, fiber, water, and raw products from the land.

It was 30 years ago this coming April that the Congress wisely passed Public Law 46, creating the Soil Conservation Service in the U.S. Department of Agriculture. One year later it established the agricultural conservation program. At that time, dust storms, gullies, and sheet erosion were eating away at our topsoil at an alarming rate. Fifty million acres of our finest cropland had been rendered unfit for further crop use, and more was being ruined at the rate of 1 million acres per year.

On February 26, 1937, the President of the United States wrote Governors of all States. He recommended that State governments promote this great program by passing enabling acts permitting landowners to form soil conservation districts. The response by States to this national leadership was and has been phenomenal. Today there are nearly 3,000 operating soil conservation districts in the Nation—59 in Florida.

Technical assistance from the Soil Conservation Service to landowners in soil conservation districts enables the districts to get conservation applied to the land. ACP cost sharing has helped finance these installations but the greatest cost has been borne by landowners themselves.

The wisdom of the Congress in setting a national policy 30 years ago to conserve our soil and water is being written across the face of our land. With the help of the technical men of the Soil Conservation Service we see gullied wastelands being converted to timber or to wildlife and recreation or to grassland.

Our soil and water conservation program has become the model for most of the free nations of the world. Every year now many countries send one or more people to the United States to study the methods and techniques of this country in our conservation program.

And now, Mr. Speaker, I learn that a proposal has been made that, if adopted, would seriously cripple the Soil Conservation Service and change a 30-year policy of the Congress.

I refer to the proposal that Congress enact legislation to authorize a revolving fund through which soil conservation districts, farmers, ranchers, and other landowners would pay the Federal Government up to 50 percent of the cost of technical assistance from the Soil Conservation Service used in planning and applying soil and water conservation practices on the land. The proposal asks for a $20 million cutback in conservation technical assistance from Federal funds and would require farmers to pay it.

I have been in touch with our soil conservation district officials in Florida to get their opinion on the effects of this proposal, if adopted. Here is what they believe:

First. Of the approximately $360,000—Florida's share of the revolving fund—

that would have to be collected from farmers and ranchers, the supervisors estimated that only about $9,000 would be collected next year.

Second. District supervisors in some soil conservation districts will make a big effort to get financial assistance from county commissioners.

Third. Without the money, the Soil Conservation Service would be forced to dismiss about 40 technicians. This is about 37 percent of the presently employed men giving on-the-ground help on conservation planning and application of practices.

Fourth. Such a loss of technical personnel would result in an estimated 50 to 60 percent less conservation practices applied on the land each year. Further, it is estimated that without this technical help farmers and ranchers would spend $13 million less each year for seed, fertilizer, machinery and equipment, labor, and earth-moving contracts. Many small contractors and small business dealers would be adversely affected.

A survey completed last fall showed that an additional 15 soil conservation technicians are urgently needed to staff adequately the districts so they could provide enough help in programs now underway. And in the small watershed program in Florida we have 18 applications on the waiting list for planning—about a 4-year backlog. Also, we will have three watersheds ready for construction next year, and with proposed funds we cannot hope to start more than one.

It is entirely inappropriate for us to provide aid for distressed groups in one area and deny it in another. We must not rob Peter to pay Paul. We must not reverse the national policy of support for the family farm and for farmers least able to pay for essential conservation work.

Let us not be guilty of turning the clock back, but let us take a forward step instead. We need more, not less, technical help. We need to continue the current level of ACP cost sharing. We cannot afford a slowdown in our efforts to reduce silting and pollution in streams, rivers, lakes, and harbors. We need this program to help develop more recreational and wildlife facilities on privately owned land. And there is no program contributing more to the beautification of the American countryside.

There is also proposed a reduction from $220 to $120 million in funds used for cost sharing in the application of conservation measures on privately owned lands. I vigorously oppose this reduction, too. Conservation is everybody's business and farmers should not be expected to pay every citizen's fair share of the cost of the protection of soil and water resources.

From 3 to 5 percent of these funds are used by the Soil Conservation Service to provide engineering and other technical services for planning and installing the various conservation measures in accordance with scientific needs of the land. This would be an additional cutback of $3 to $5 million in highly skilled technicians that we simply cannot afford to lose.

Landowners and operators throughout this great Nation have made effective use during the past 30 years of technical assistance and cost sharing available to them. The cost has been small compared to results obtained.

More technical assistance, not less, is what landowners and operators want and need, to continue this great work.

The least this great Government of ours can do is to provide needed technical assistance to our people on the land.

Let it never be said that this 89th Congress put the brakes on soil and water conservation work. Let us not turn the clock back.

THE ECONOMIC CRISES ON THE FAMILY FARM

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. NELSEN. Mr. Speaker, since the convening of the Congress this year I have received countless letters from farmers in my district expressing concern, and in some instances almost complete despair, over the difficult economic situation they are facing. This mail does not represent a flood of farm letters prompted by some lobby group. They are individually written appeals from hard-pressed farmers and their wives bringing to the attention of their Congressman the inadequate incomes they are trying to live on.

Mr. George Vikingstad of Blue Earth, Minn., sent me a clipping from the local weekly paper in Faribault County listing 17 farm auction sales in one issue. Farm families are being forced to sell out their farming operations and often to leave their family homesteads in all parts of my district. Those who are able to stay with it wonder how they will be able to provide an education for their children when about all they can earn goes out again in payment of higher taxes, higher operating costs, interest on operating loans, and payments on debts incurred because of low prices in the past few years.

Farm income must be brought up to keep pace with increased farm production costs which are the highest in history—just under $30 billion in the past year. Meanwhile farm real estate debt has risen to a staggering $18.8 billion—up 50 percent since 1960 and the highest on record. The farmer is paying interest on that debt at a average rate of 5.5 percent. Where is the farmer to get the money to pay off these loans? It certainly is not in the livestock industry. Between 1963 and 1965, while the number of cattle increased by almost 3.5 million, the total value of cattle inventory decreased by over $2.5 billion. The complete 1963–65 livestock and poultry figures are as follows:

Livestock and poultry inventory report as of Jan. 1

	Total number	Total value
Cattle:		
1963	103,736,000	$14,743,380,000
1964	106,743,000	13,578,029,000
1965	107,152,000	12,215,275,000
Hogs:		
1963	58,883,000	1,618,794,000
1964	58,119,000	1,358,128,000
1965	53,052,000	1,317,842,000
Sheep:		
1963	29,793,000	434,450,000
1964	28,021,000	395,943,000
1965	26,668,000	425,428,000
Chickens:		
1963	366,823,000	425,665,000
1964	369,959,000	427,544,000
1965	376,714,000	439,565,000
Turkeys:		
1963	6,475,000	28,451,000
1964	6,243,000	26,714,000
1965	6,471,000	28,418,000

Total livestock inventory values

Year 1963	$17,250,743,000
Year 1964	15,786,358,000
Year 1965	14,426,528,000

Years 1963–65, loss in value of total livestock inventory, $2,824,215,000.

Years 1963–65, loss in value of cattle inventory, $2,528,105,000.

Years 1963–65, increase in number of cattle, 3,416,000.

Source: Statistical Reporting Service, Department of Agriculture.

In view of these figures, will someone please explain why it was necessary for us to import over 1.6 million tons of meat during 1963 and 1964?

In addition to this foreign competition, the family farmer has to compete with the giant corporate farm operators who are buying Government feed grains at below cost of production. To compound this problem even more, the low price for beef will cause more milk and milk products to be crowded into the already overproducing dairy market in the face of the lowest per capita demand in years.

We hear so much talk of farm subsidies these days and more often than not from those who are living on higher incomes and standards of living than they had ever hoped for. But who is being subsidized? Part of the answer is in the fact that the farm receives only 37 cents out of the consumer's food dollar. Those who are getting the other 63 cents out of the consumer's pocket are not complaining.

Mr. Speaker, the parity ratio of farm income has been 75 percent or less for the past year and for the past 4 years has averaged about 76 cents but never over 80 percent. The farmer now receives only 37 cents out of the consumer's food dollar. Neither of these figures has been so low since the depression-ridden 1930's. And what is the result?

In the past 4 years the number of farms in the United States has declined by almost a half million—435,000. In my own State of Minnesota there will be 5,000 less farms in 1965 than there were in 1963.

Some would have us believe that about 2.5 million farmers would be better off leaving the farm. Let the Government assist them in this "painful transition" says Budget Director Kermit Gordon. Where did the executive branch get the notion that this "painful transition" was suddenly necessary. A report issued in January 1962 by the Economic Research Service of the Department of Agriculture stated:

The findings of this report lend no support to the popular impression that farm technological advance (especially mechanization) of the kind thus far experienced is incompatible with an agriculture composed predominantly of family-operated farms.

In fact "the rapid rates of farm technological advance since World War II have been associated with an increasing dominance of family-operated farms."

So then somehow, in the past 2 years, the farm question has shifted from the status of a national problem to a chaotic disaster which can only be solved by the panicky action of "relocating" 70 percent of those who are now said to be responsible for the problem—the family farmers. I would suggest that our Secretary of Agriculture look in his own mirror. There are 2.5 million farmers who receive only 20 percent of the Government price-support payment funds. (The other 80 percent goes into the pockets of some 1 million farmers who earn over $9,500 per year.) In my own State of Minnesota, 23 percent of the farms receive 53 percent of the Government payments. It would seem that the existing farm programs operate to make the rich richer and the poor poorer.

Consider the devastating effect on our agricultural economy of actions taken by the Commodity Credit Corporation in the past couple years. This Government corporation has dumped feed grains and wheat on the market at prices based on 105 percent of the support level. Grain experts estimate that during this past harvest season, when CCC dumped 150 million bushels of Government wheat on the market, the result was to depress the market by 20 cents a bushel for wheat. This reduction on a crop of some 1.2 billion bushels of wheat represented some $240 million less in the farmer's pocket.

The corn market has also been flooded. Between October 1961 and September 1964 the CCC dumped 1,180,013,000 bushels of corn through the Evanston Commodity Office on the already depressed market. The exact figures are as follows:

CCC sales of corn, Evanston Commodity Office, October 1961–September 1962

	Parity price	Market price (Chicago)	CCC price	CCC quantity sold (thousands)
October 1961	$1.62	$1.12	$0.964	$24,532
November 1961	1.62	1.12	.976	23,343
December 1961	1.62	1.11	1.021	46,332
January 1962	1.60	1.09	1.055	58,087
February 1962	1.60	1.10	1.005	79,389
March 1962	1.60	1.12	.979	93,247
April 1962	1.61	1.14	1.006	176,252
May 1962	1.61	1.17	.999	48,687
June 1962	1.60	1.15	.964	42,859
July 1962	1.60	1.14	1.087	958
August 1962	1.60	1.11	1.023	6,508
September 1962	1.61	1.13	.970	8,578
Total				613,772

CCC sales of corn, Evanston Commodity Office, October 1962–September 1963

	Parity price	Market price (Chicago)	CCC price	CCC quantity sold (thousands)
October 1962	$1.61	$1.13	$0.990	$26,509
November 1962	1.61	1.10	1.022	18,583
December 1962	1.62	1.16	1.038	22,153
January 1963	1.59	1.20	1.087	40,682
February 1963	1.59	1.21	1.106	63,001
March 1963	1.59	1.22	1.100	132,751
April 1963	1.59	1.21	1.075	78,425
May 1963	1.59	1.24	1.005	60,934
June 1963	1.59	1.31	1.052	41,712
July 1963	1.60	1.33	1.286	281
August 1963	1.59	1.33	1.075	5,979
September 1963	1.59	1.36	1.058	11,787
Total				502,797

CCC sales of corn, Evanston Commodity Office, October 1963–September 1964

	Parity price	Market price (Chicago)	CCC price	CCC quantity sold (thousands)
October 1963	$1.59	$1.24	$1.381	$4,958
November 1963	1.59	1.17	1.189	7,225
December 1963	1.59	1.23	1.247	10,533
January 1964	1.56	1.24	1.201	10,080
February 1964	1.56	1.22	1.274	12,807
March 1964	1.56	1.24	1.225	3,994
April 1964	1.56	1.26	1.078	3,206
May 1964	1.56	1.29	1.137	2,008
June 1964	1.56	1.27	1.140	4,419
July 1964	1.55	1.24	1.092	695
August 1964	1.56	1.26	1.094	1,988
September 1964	1.56	1.29	1.164	1,419
Total				63,444

It is ironic to note that the support level upon which this release price is based is 74 percent of parity—not 90 or 100 percent as was once advocated by the present Secretary of Agriculture. The Secretary, who was such a great exponent of high supports before he came into office, did not set supports high when he had the authority to do so. And to compound the difficulties of the farmers, he has dumped government grain on the market to force down the price. He has put the Government in control of the grain trade and forced the grain farmer to deal with the Government.

This policy of depressing the market by various methods, then abating only enough to hold the prices relatively stable at disgustingly low levels and crowing about the new "stable farm economy" cannot be tolerated any longer by the American farmer.

Mr. Speaker, I have always contended that the resale price on CCC commodities should be higher than the price support rate. To hold otherwise would be to advocate that price supports serve as a ceiling rather than a floor under the market. Dumping actions of the CCC in the past few years have depressed the market because of the low resale price, and it is time for the Congress to take action to allow the market to rise above present levels.

Again in this session I have introduced legislation to set the release price on CCC feed grains and food grains at 120 percent of the support price plus necessary carrying charges. I have advocated this approach in past years and now recent experience proves the accuracy of my original statements. A recent radio bulletin of the Farmers Union Grain Terminal Association cited my proposal in its broadcast as follows:

[From the GTA Daily Radio Roundup, Jan. 18, 1965]

Several Members of Congress have introduced legislation that would have the Commodity Credit Corporation raise the price at which it goes into the market to sell wheat and feed grains.

As you know, hundreds of millions of bushels of Government wheat have been sold, and still are being sold, at 105 percent of the support price plus very nominal carrying charges.

As long as this Government wheat is readily available to millers and exporters at such a low price, it acts as a price ceiling in the regular grain markets. And that is just what USDA wants to accomplish with its 105-percent formula.

One measure that is typical of efforts by legisaltors to bring about a change was introduced by Representative ANCHER NELSEN of Minnesota. It would raise CCC's selling price for wheat and feed grains to 120 percent of the loan rate plus actual carrying charges and interest.

Members of Congress from both political parties are expressing concern over the low CCC selling prices. And they are reported to be receiving angry complaints from their constituents back home because of the price ceiling imposed by the CCC practices.

GTA's General Manager M. W. Thatcher has been hammering hard on this issue because of the cost to farmers and their cooperatives.

During the last harvest Commodity Credit dumped 150 million bushels of wheat on the market displacing sales that could have been made by farmers and their representatives. It is reliably estimated that if CCC had held this wheat off the market and not exercised its ceiling price powers, farmers would have received 20 cents per bushel more for the wheat they sold. In addition, the fact that market prices were kept artificially low forced farmers to use the loan program more than they would have if market prices had been allowed to climb. Hundreds of millions of bushels would have been sold directly into market channels instead of going into the Government loan program.

Many regard this operation as self-defeating. USDA says the purpose of the price ceilings imposed by CCC is to punish noncompliers, those who don't take part in Government programs. Unfortunately, all the compliers are being punished, too, despite the fact that CCC was created to help farmers, surely not to punish them.

Although some of CCC's policies and activities are being sharply criticized by farmers and market people around the Nation these days, we would like to point out that the farm programs for more than 30 years have been extremely helpful to producers. They have prevented bitter economic collapses in agriculture and will continue to be absolutely necessary for as many years as anyone can see ahead. Yet, adjustments always are necessary to meet changing conditions, and it now appears that raising the CCC selling price to 120 or 125 percent of loan value would be advisable. That is why legislation to accomplish this has been introduced and will be one of the important matters taken up by this Congress.

Mr. Speaker, something has to be done to prevent the "Great Society" from becoming the "Great Disparity" in rural America. I do not mean that welfare assistance should be doled out to 2.5 million farm families who at present are experiencing low income problems. We must make it possible for the farmer to realize his fair share of the increasing

national income. During the past year farmers spent in excess of $3 billion for new equipment—a figure three times as much as the great steel industry spent on new plants and equipment. The farmers spent another $3 billion for maintenance and petroleum products. Add to these figures the billions which are spent by farmers for such items as fertilizer, tires, spraying material, drugs, and hundreds of other items, and we can well understand why more than 10 million people in private industry depend on the purchasing power of 3.5 million farm operators. The displacement of 2.5 million farmers would involve 7 to 8 million farm people and millions more who depend on them for income.

It is interesting to note what has happened to the parity price ratio down through the past few years. This figure stood at 92 in 1953 and has gone down to 75 in 1964. The following table indicates the steady decline in the parity ratio:

Calendar year:	*Parity price ratio*
1953	92
1957	82
1959	81
1960	80
1961	79
1962	79
1963	78
1964 (preliminary)	75

Mr. Speaker, this parity ratio figure of 75 is the lowest it has been since 1934. All of us who have had any farm experience realize what the agricultural situation was in 1934. These were the depression years, Mr. Speaker, when nobody was speaking of the Great Society, and here today we find our farmers in a cost-price squeeze which is denying them a fair share of the Nation's income. If the farmer is the forgotten man in the Great Society as he was out on the New Frontier, then the great prosperity being enjoyed by other segments of our society is in danger of being plowed under.

INTERSTATE HIGHWAY AUTHORIZATIONS BILL TO COMPLETE THE SYSTEM ON SCHEDULE—H.R. 6391

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, today I am introducing a bill to approve the estimate of cost of completing, and to revise the authorization of appropriations for, the Interstate System. You may recall that on March 11, 1965, I introduced a bill, H.R. 6141.

The bill which I introduced, H.R. 6141, is identical to one introduced by Mr. KLUCZYNSKI, the respected chairman of the Subcommittee on Roads of the House Committee on Public Works, and I introduced it to demonstrate bipartisan support for the interstate highway program and the urgent need for providing the necessary additional funds for its continuation. The bill was prepared by the executive branch, and provides for authorizations through fiscal year 1972. As my colleagues know, existing law provides for authorizations only through fiscal year 1971, and the Interstate Highway program should be completed in 1972. I do not believe that completion of the program should be postponed beyond 1972.

For that reason, I am introducing the bill to provide increased authorizations for the Interstate System in a total amount identical to that in H.R. 6141, but adjusted to continue through fiscal year 1971 only and thus not stretch out the program.

A copy of the bill, H.R. 6391, follows:

H.R. 6391

A bill to approve the estimate of cost of completing, and to revise the authorization of appropriation for, the Interstate System

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the estimate of cost of completing the Interstate System in each State, transmitted to the Congress on January 13, 1965, by the Secretary of Commerce pursuant to the provisions of section 104(b)(5) of title 23, United States Code, and published as House Document Numbered 42, Eighty-ninth Congress, first session, is hereby approved as the basis for making the apportionment of the funds authorized for the Interstate System for the fiscal years ending June 30, 1967, 1968, and 1969.

SEC. 2. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, as amended, is amended to read as follows:

"(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of expediting the construction, reconstruction, or improvement, inclusive of necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in accordance with the provisions of subsection (d) of section 103 of title 23, United States Code, there is hereby authorized to be appropriated the additional sum of $1,000,000,000 for the fiscal year ending June 30, 1957, which sum shall be in addition to the authorization heretofore made for that year, the additional sum of $1,700,000,000 for the fiscal year ending June 30, 1958, the additional sum of $2,200,000,000 for the fiscal year ending June 30, 1959, the additional sum of $2,500,000,000 for the fiscal year ending June 30, 1960, the additional sum of $1,800,000,000 for the fiscal year ending June 31, 1961, the additional sum of $2,200,000,000 for the fiscal year ending June 30, 1962, the additional sum of $2,400,000,000 for the fiscal year ending June 30, 1963, the additional sum of $2,600,000,000 for the fiscal year ending June 30, 1964, the additional sum of $2,700,000,000 for the fiscal year ending June 30, 1965, the additional sum of $2,800,000,000 for the fiscal year ending June 30, 1966, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1967, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1968, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1969, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1970, and the additional sum of $3,785,000,000 for the fiscal year ending June 30, 1971.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Speaker, I want to join the gentleman from Florida in adding my remarks to what he has said. He is absolutely correct in his announced desire to complete the construction of the Interstate Highway System at the earliest possible date.

The Federal Interstate Highway System has demonstrated its great value to the American people and I believe has very broad acceptance throughout the Nation. With this in mind, I believe we can look forward to continuing support to extend the system beyond its currently authorized 41,000-mile program.

I will predict that there will be mounting pressures to expand the program in the future so I earnestly feel we should authorize the additional amounts required to complete the construction on schedule or if anything, seek opportunities to accelerate the completion date. There is ample evidence available to clearly demonstrate the advantages of the system and I am convinced the pending study, which will be heard before our committee will point out further the objective I seek. We are all aware of the great contribution to our economy the improved roads and highways have made in the past. As we look for means to enhance our economic growth, I can think of no finer, long-range contribution we can make than to implement and accelerate the financing of our Nation's roads and highways.

As a member of the Public Works Road Subcommittee, I want to commend the gentleman and Chairman KLUCZYNSKI for the introduction of their bills and pledge my full support to this legislation.

Further, I ask my colleagues to join in adding their support to a bill that I have introduced, along with Chairman FALLON calling for the study to extend the Interstate Highway System at the earliest possible date.

I thank the gentleman for yielding.

SECRETARY WIRTZ SHOULD CONVENE MEETING TO AVOID CHAOS

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, the chaos on California vegetable farms, caused by the lack of adequate labor, is spreading like a brush fire to other industries.

Spokesmen for the Teamsters Union, who have been in the forefront of the battle to improve the workingman's opportunities in California, have a good suggestion.

The problem is desperate. If Secretary Wirtz has insufficient facts or is unwilling to act upon his own initiative, I suggest that he immediately convoke a meeting of the interested representative parties and develop a solution to end the chaos and waste in California farms, industries, and rural towns before thousands of workers and consumers are irreparably injured along with the farmers and farm laborers.

Mr. Speaker, Peter A. Andrade is an experienced, dedicated unionist. No one

can say that he is a "tool of the corporate farmer" and not a friend of organized labor or the farm laborer. I ask unanimous consent to insert his remarks of March 11, 1965, for the edification of my colleagues who care about the welfare of the workingman and the consumer of fruit and vegetables:

STATEMENT OF PETER A. ANDRADE, DIRECTOR, WESTERN COUNCIL OF CANNERY AND FOOD PROCESSING UNIONS AND INTERNATIONAL ORGANIZER, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, REGARDING AGRICULTURAL LABOR IN CALIFORNIA, SAN FRANCISCO, CALIF., MARCH 11, 1965

The Teamsters Union, more than any other labor organization, has a primary interest in the problems involving farm labor. We represent in excess of 125,000 workers in California whose employment is affected directly by the extent to which crops are nurtured and harvested. Approximately 80,000 of our members are employed in the food processing industry, canned and frozen food. Another 35,000 are employed in ice, dehydration and vacuum cooling plants, fertilizer plants and in hauling agricultural and related products. In addition, we represent employees in can plants, paper and polyethylene plants directly affected by the activity in the agricultural industry. We are also involved in the wood box and crating industry. Moreover, additional thousands upon thousands of workers in other industries are dependent upon the agricultural industry. Thus we are a vitally affected party and it is essential to us that an ample and stable work force be found to nurture and harvest the crops in order that the processing and other functions mentioned here can be carried out.

To be more explicit, the canning industry plays a basic role in the economy of California. This industry is the major customer of agriculture and, of course, is also an important customer of many other industries. Typically, as the canning gets underway employment rises in steel mills, tin can and glass jar manufacturing plants as well as other industries that supply canners. In a normal season, the canning and preserving industry consumes about 600,000 tons of steel for tin plate, 5 billion tin cans, 1.2 billion glass jars, 1 million miles of labels, and 200 million fiberboard boxes. To transport a typical yearly pack requires the equivalent of 100,000 freight cars.

At the peak of the canning season which normally occurs in August, around 80,000 persons are working in the industry. The bulk of the canning and preserving plants are located in northern and central California.

Similar statistics could be cited to demonstrate the importance of other industries related to agricultural and cannery operations in which our members work and which I have mentioned. The lettuce crop deserves special notice here. Over 65 million cartons of lettuce are packed in California annually for shipment all over the country.

The question today is, What steps can be taken to assure a sufficient and stable work force in agriculture. We recommend the following:

1. It is imperative upon the State and Federal Government to analyze realistically the manpower situation in all of the agricultural labor markets involved and to take steps immediately to meet the manpower crisis. In 1964 California used 90,000 braceros to help harvest 250 perishable crops. Where are we going to get the 90,000 domestic workers to replace them this year? We cannot afford to speculate. Manpower must be guaranteed. I, therefore, urge that Secretary of Labor Willard Wirtz immediately convene a conference of all interested parties including growers, canners, organized labor and industry. The purpose of such a conference would be for all parties to discuss in detail their positions with Secretary Wirtz and his staff. Hopefully, out of such a conference a program could be developed including standby measures to insure the harvesting of the crops.

2. Fair wages and decent working conditions must be established in order to attract competent farmworkers.

3. Adequate housing must be supplied. This we feel is important, not only from the point of view of attracting labor, but also making sure that citizens working in our State do not live under substandard conditions.

4. Safe and adequate transportation must be provided in order to insure easy mobility of farmworkers from their living quarters to the fields.

5. Social legislation such as unemployment insurance, workmen's compensation, and other benefits available to the rest of the work population should also be made available to farmworkers.

6. Intensive educational programs among farmworkers and their families should be undertaken. Their skills and educational levels must be upgraded.

7. Special measures should be taken to attract the youth of our State to this important activity. Here the State government can play a major role in recruiting such individuals. The colleges in our State are going to the quarter system which makes it possible for educational facilities to be used on a year-round basis and for students to have time off on a flexible basis not limited to summer months. Thought should be given to developing this system in our high schools as well. In any event, we should create programs that will make younger people available for agricultural work on a flexible basis.

8. Machinery should be developed which recognizes the rights of both management and labor in developing a sound labor relations program. We must avoid labor turmoil in an industry that is so basic in our State. This means that the growers must recognize the right of agricultural employees to organize. It also means that labor must act responsibly.

9. In the last analysis, the only complete solution to the problem is a long-term solution. This involves a program of intensive mechanization in the fields. Industry and government have moved too slowly in this direction. We have succeeded in manufacturing and other nonagricultural industries in virtually eliminating backbreaking jobs. There is no reason why the same cannot be achieved in agriculture. Were this to come to pass much of today's discussion would be unnecessary.

However, what happens in the interim period is very important. The manner in which all segments of the community work together in the interest of this State and our people will determine the course and direction of the California economy. Sixty percent of the fruit processed in this country comes from California, 45 percent of all vegetables are processed in California. We here are one of the principal producers of fresh and frozen foods. Not only is our own economy dependent upon ample agricultural manpower, but the food needs of our country and indeed the world are dependent upon us.

A WARNING IN THE JOINT ECONOMIC COMMITTEE REPORT AND A SUPPLEMENTARY STATEMENT BY CHAIRMAN PATMAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN], is recognized for 60 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter and tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, someone has said that economists know everything but the answers. This might be a bit unkind, and we must always consider that economics is not an exact science. Nor does it work by any intellectual ouija board.

Our economists start out to find out what exists in the economy of our country and of the world. The wise ones have learned that there simply are no shortcuts to solutions of problems of great complexity. Our wisest economists, like Galbraith, of Harvard; Harris, of Harvard; Samuelson, of MIT; and Keyserling, are not afraid to tread new paths, nor are they so rash as to ignore economic history which is economic experience.

All of this is a preface to my remarks today concerning the President's excellent Economic Report for 1965, the Joint Economic Committee's constructive critique of it, and remarks I felt compelled to make which go beyond what I have heard and read on the subject of America's present economy. I have felt the need to play up some facets of the subject which seem to me to have been understated or even omitted. The President's Economic Report hardly says anything about how we might go about curing the chronic American problem of unemployment.

You will recall that a year or so ago we were going to cure unemployment by tax relief. This somehow did not come about. Though the contention is made in the President's 1965 Economic Report that the gross national product may reach $660 billion this year, even so this would hardly bring about a dent in unemployment figures or put to use the idle capacity existing in many of our factories.

When the report has a line like, "Unemployment will remain too high in 1965," the economists who wrote the report are to be commended for having the fortitude to tell the truth. But, by so doing, they admit that they do not as yet have the answer to one of America's leading problems.

I am indeed sympathetic with all the President's report sets forth, and I listened with interest to the President's top economic advisers when they testified before the Joint Economic Committee. But somewhere there was lacking the guidelines needed to bring about a solution, not only of unemployment and unused plant capacity, but a host of other problems confronting America in the economic field.

MONETARY POWERS USURPED

I have always felt that the economy of this country is, in large part, governed by those who control money and credit. I have made countless speeches on this subject on the floor of the House for the past two or three decades. I have had friend and foe say, "WRIGHT, why do

you continue to say the same thing over and over again?" The answer is that I shall continue to remind my colleagues that they have abdicated their authority—that the Congress has been asleep—that the constitutional authority granted to them has been usurped by an instrument of our own creation—the Federal Reserve System.

DISTINGUISHED ECONOMIST CONCERNED

In a pentrating article published in the Journal of Finance entitled, "Is the Federal Reserve System Really Necessary?" Deane Carson, who is the senior economist in the Office of the Comptroller of the Currency, concludes with some words that I believe are as true as any ever written. Bear in mind that Deane Carson is not a money crackpot. He is a distinguished economist on leave from Brown University, an Ivy League school. The economic departments or the Ivy League are not noted for being of a radical tinge. On the contrary, they are spawning grounds for brokerage office customers' men. So, when I quote Deane Carson, you may be certain I am reflecting that viewpoint of a reserved, conservative man of reason. I quote:

"The Federal Reserve System has evolved in the past half century into a vast and cumbersome machine; a quasi-private organization, its regional staffs have grown far out of proportion to their importance in conducting monetary policy."

That is not PATMAN talking. May I remind you though that I have been saying the same thing for nearly 30 years. I am quoting the words of a top economist from a conservative Eastern university who is the editor of the Journal of Finance.

"The tourist business in Maine may indeed be an important area of economic inquiry," continues Deane Carson, "but it is difficult to see its connection with the goals of monetary control. The district Federal Reserve banks engage in such irrelevancies."

In my August 3, 1964, speech entitled, "The A B C's of America's Money System," which has been read by millions and is available in reprint form, I pointed out the manifold irrelevancies of our central banking set-up, the Federal Reserve System.

Moreover, I am pleased that Deane Carson too recognizes as do more and more economists and more and more plain citizens, that America's sacrosanct Fed is not serving the people as it pretends and that it is nothing more than a tool of those few money concentrations, mostly in New York, who seek higher and higher interest rates and control of the credit of the Nation for the benefit of a few rather than for the many. Those who believe in the divine right of money kings will shout that I am a demagog. I am used to this charge.

The facts are, in my opinion, that both what the economists had to say, and even what the Joint Economic Committee print states, underplays the whole story of who controls money and credit in the United States today. And that is the reason why I wrote some supplementary views that are published in the Joint Economic Committee print on the President's Economic Report released today March 17.

In a section headed "Monetary Policy," the Joint Economic Committee report states: "The task of economic recovery and achieving sustained economic growth is not yet completed. It is doubly imperative that the monetary authorities avoid the mistakes of the past and not be tempted or persuaded into a premature application of the monetary brakes."

In my opinion, no written words in any economics report, book, or lecture hold more validity. Yet, as we will learn before I am through, this very day and for the past several weeks the brakes are slowly being applied. The lessons of the past seem not to have been learned. A tight money policy now at rates considerably above what they should be can only bring about economic trouble, including more unemployment.

I feel in accord with what appears in the Joint Economic Committee report under "Monetary Policy" and I am inserting that section in the RECORD:

"Fearfully aware of how easily the stimulative effects of tax reduction might be undone by unwise monetary policy, the committee last year again urged that the monetary authorities follow a policy of monetary expansion in line with the needs of an expanding economy.

"The economic improvement during 1964 has demonstrated the wisdom of that policy. The monetary authorities, apparently also mindful of the error of having prematurely tightened money in past periods of recovery, during the early part of the year maintained sufficient availability of credit to permit a fuller utilization of economic resources.

"We believe that the sustained economic recovery thus far experienced, albeit still less than sufficient to reduce unemployment to acceptable levels, would not have been possible had the past mistaken bias toward an early restriction—in effect, an early contraction when measured against the needs of a growing economy—been repeated. Unfortunately, there has been increasing evidence, beginning in the fall months of 1964 and becoming more marked thus far in 1965, that the monetary authorities are turning toward tighter money. As the recovery progresses, the lessons of the past seem to become unlearned. Economic recovery is not promoted by assertions that market forces have been tightening themselves when in fact the monetary authorities lower the target level of 'free reserves,' raise the discount rate, and allow the short-term interest rate to inch upward.

"Before this dampening process goes further we must remind the monetary and debt management authorities again that the current task of recovery is not yet done. A stronger economic pulse is insufficient reason for monetary authorities to rush for the sedatives or apply a tourniquet.

"The maintenance of adequate credit has been somewhat constrained because the majority of the Board of Governors apparently feels that higher interest rates are necessary to prevent outflows of short-term capital. There is some question as to whether short-term rates are an important factor in capital movements abroad. Furthermore, the problem of short-term interest rate differences as between this country and Europe arises from the policy of European countries to use restrictive monetary policies and high interest rates to solve their own domestic problems rather than to use restrictive fiscal policies.

"The monetary authorities of this country have responded to this situation in a manner characteristic of central bank thinking. They have encouraged a rise in domestic short-term interest rates in a presumed effort to hold and attract short-term funds in spite of higher foreign rates.

"We believe that the ready acceptance and prompt rationalization by the Federal Reserve System authorities of the need for increasing short-term rates have not given sufficient weight to the alternatives. Desired effects upon the balance of payments might have been obtained by other means, such as measures affecting the rates of saving in the United States, measures improving the climate for the investment of savings in a thriving domestic economy, measures involving various voluntary limitations on short-term capital exports, and, if the need be sufficient, measures for the direct regulation of short-term capital outflows.

"The monetary authorities have indeed been aided by one such device, the interest equalization tax, which has tended to penalize the outflow of capital from the United States. The President has recently taken steps to further discourage short-term outflows. We suggest that the Congress, in order to close loopholes and make these restrictions effective, may shortly need to consider applying similar interest equalization tax constraints to short-term bank loans of less than 1 year maturity.

"Rising short-term rates in the United States must sooner or later be recognized as being basically incompatible with domestic expansion. Long-term rates, it is true, have been held relatively constant, although they have in fact risen nearly one-quarter percent since the beginning of 1963. We are now confronted with the possibility, indeed probability, that a further rise in the short-term rates must inevitably exert upward pressures upon the long-term rates.

"The pressures toward higher long-term interest rates are particularly disturbing in the light of recent debt management policy. On February 20, 1961, the Federal Reserve System departed from its 'bills preferably' policy. It announced that it was then purchasing in the open market U.S. Government notes and bonds of varying maturities, some of which would exceed 5 years. Authority was granted by the Open Market Committee for transactions in securities of 'longer maturity' than those dealt in under the previous policy. The announcement, although unclear as to Open Market Committee concepts of 'long' or 'longer' maturities, was widely interpreted to mean that the System was moving to hold down, if not reduce, rates at the long end of the interest curve for Government, mortgagors, and business.

"In the 4 years since that announcement, the Federal Reserve System portfolio has been increased by approximately $10 billion, less than $700 million of which has been in maturities of over 5 years. Approximately two-thirds have been in maturity groups of under 1 year. The maturity distribution of portfolio holdings at the end of January 1965, indeed, shows a slight reduction in the proportion of holdings held in the 'over-1-year category.' The resolution of the Reserve authorities to hold down long-term rates has, to say the least, been disappointing.

"Nor is it clear that the debt management authorities have applied their energies very vigorously to holding down long-term interest rates. The Secretary of the Treasury in his testimony to the committee submitted a table, and took pride in observing that, 'an amount larger than the entire $25.1 billion increase in the marketable debt since January 1961 has been financed over that period in longer term issues; marketable debt due in 5 years or more is up $26.9 billion.' Why did the Treasury Department, during an economic recovery period, seek to extend the average maturity of the Government debt by competing for and absorbing long-term funds? However adequate or inadequate its reasons may be, the fact is that neither the monetary nor the debt management authorities have been vigorous in bringing downward pressure on long-term rates while actively and calculatedly raising short-term rates on balance-of-payments grounds.

"The committee recommends that the Federal Reserve authorities and the Treasury cooperate to avoid further increases in domestic interest rates and that:

"Secular increases in the money supply should be provided at the same rate as the growth of real gross national product and should be provided through open market purchases of longer term Federal securities, rather than by either increased holdings of short-term Treasury issues or through the lowering of reserve requirements.

"Debt management should be so handled by the Treasury as to reinforce expansionary fiscal and monetary policies—in particular, they should avoid new issues in longer maturities and advanced refunding at times and in amounts that will frustrate the above recommendation for monetary policy, thus putting upward pressure on long-term interest rates and unnecessarily raising the amount of interest the Government must pay.

"Those responsible for the complementary functions of monetary policy and debt management should recognize that the usual good sense of low interest rates as encouragements to the economy are this year buttressed by the requirements for financing at minimum cost major governmental programs in education, housing, rehabilitation, and development.

"We urge that the Congress and the monetary authorities give serious, open-minded consideration to a search for the best ways of financing the requirements of the President's program for education, overcoming poverty, and for general community and rural rehabilitation. Attainment of these objectives will require increased investment in schools and other facilities by Federal, State, and local governments, the magnitude of which over the next few years may well be as high as $25 billion or more.

"Under current financing practices, the communities of the Nation will have to borrow most of this amount. Even though States and municipalities do have a slight advantage in issuing bonds, arising from the tax exemption of income on their obligations, interest costs on these borrowings each year and over the life of the bonds would, under conventional practices, be large and burdensome. Moreover, the communities most in need will have to pay higher rates although less able to do so.

"The special needs of our society for education and rehabilitation are so great that they challenge us to find new methods of financing, such as the feasibility of financing through special-purpose, low-interest-rate bonds, issued directly to the Federal Reserve System. The funds thus made available to the Federal Government would be available for direct investment in needed community developments or for relending to communities themselves at a low rate of interest.

"In considering methods of financing we need to be especially mindful of two things: First, the Federal Reserve authorities and commercial banks are the trustees of the sovereign power to create credit; and second, the economic report indicates a persistent gap between existing gross national product and potential. Because the national needs of the program are so great, it is imperative that new methods of financing be explored so that the burden of interest on the sovereign be held to a minimum rather than multiplying the already large cost by payments to middlemen. So long as the gap arising from unused capacity exists, we need to be concerned about reducing its size, rather than fearful of inflationary pressures.

"The committee's report, a year ago, concluded that the Nation had a right to expect better performance by the monetary authorities than it had been getting, adding that 'we must learn from experience and avoid repealing past mistakes.' Except for the rise in the short-term rate, the performance during 1964 in maintaining availability of credit gives hope that economic lessons have been learned from experience with applying the monetary brakes while the economy is still on the uphill grade as in mid-1957 and early 1960. We warn, however, that the creditable record of the past year is again vulnerable to premature restriction. Because the record has been good thus far, it is doubly important that, in the absence of a clear and present danger of inflation, an unmistakable need to raise interest rates to protect the dollar internationally, or clear evidence of a general deterioration of quality in currently extended credit, restrictive measures should be avoided."

So much for what appears to me to be the most important pages in the entire report of the Joint Economic Committee. As fine as this section is, in order for the public to be further informed on monetary policy, its connection with full employment, and who and what forces are responsible for putting on brakes that have no business being put on, I now wish to read into this RECORD my own supplementary report which also is published in the document released by the Joint Economic Committee today:

"SUPPLEMENTARY VIEWS OF CHAIRMAN PATMAN

"The Joint Economic Committee has just completed intensive hearings on the economic report of the President, and members of the committee have devoted many hours of careful analysis to the crucial questions involved in achieving full employment in our economy. Prior to that, the President and his advisers spent many hard hours working on the content of the report, which is indeed an excellent one. Yet all this work can come to nothing because of a grave weakness in the existing system: the fact that neither the President nor the Congress controls the vast monetary powers of the Nation. The purposes of the Full Employment Act cannot be carried out unless the Government has the power to control and coordinate all of its economic activities, including the all-important monetary powers which involve control of the money supply, the extent of the credit available, and the interest rates charged to borrowers—the very economic air that we breathe.

"The policies of the U.S. Government for full employment, international stability, equitable taxation, and domestic prosperity can never be sound or dependable while the most important part of the Nation's economic powers is in the hands of a private group which exists as a separate government. We have two governments in the District of Columbia. One consists of the Congress and the President—the elected representatives of the people. The other is the Federal Reserve, operating as a self-appointed money trust, far removed from the will of the people.

"This shocking state of affairs has been brought home bluntly to the American public by the assertion of the Federal Reserve that it is independent of the executive branch and that it can operate contrary to the President's wishes. It is an open and defiant proclamation that the Nation's gold and money printing press have been seized by a private group and are now being used by them in utter disregard of the principles of democratic government.

"The Constitution clearly vests the monetary power in Congress, and with good reason. History has repeatedly demonstrated that possession of the monetary powers gives its holder a life and death power over a society. But in spite of our Constitution, Chairman Martin left no doubt as to his views when he told his committee, on Febru-

ary 26, that 'the Federal Reserve Board has the authority to act independently of the President,' even 'despite the President.'

"FEDERAL RESERVE SYSTEM IS BANKER DOMINATED

"What makes these claims even more appalling is the fact that our Federal Reserve System, as it functions at the present time, is a banker-dominated, banker-oriented autocracy. The fact of the matter is that there has been a struggle over control of the Federal Reserve System for 50 years, ever since it was founded. It is a struggle that the bankers have been winning, and it is clear now from Mr. Martin's statement that they have come out in the open defiantly. Savings and loan associations, cooperatives, credit unions, and other financial institutions not within the privileged banking circle should take notice that this usurpation of monetary authority places them in jeopardy.

"The key to an understanding of the Federal Reserve System is the method of selecting directors. Each of the 12 Federal Reserve banks has 9 directors. Three of them are called class A, three are called class B, and three, class C. The class A and class B directors are elected by member banks. Class A directors are chosen from officers of banks in the area. The class B directors are chosen from the fields of commerce, industry, or agriculture, and may be stockholders in banks. The class C directors are appointed by the Board of Governors, and they must not be officers, directors, employees, or stockholders of any bank.

"It should be noted that the member banks, each of which holds 'stocks' in the System, do not vote according to their stockholdings. Rather, each exercises one vote. Obviously, the word 'stock,' is a misnomer.

"The presidents of the 12 Federal Reserve banks are elected by the 9 directors of the bank. Significantly, no oath of office is taken by these presidents or by the directors of these banks.

"Polls and studies have shown heavy preponderance of banking background among directors. Early in 1964 the House Banking and Currency Committee, in connection with a comprehensive review of the Federal Reserve System, sent to all B and C directors of the Federal Reserve System a questionnaire regarding bank affiliation and bank stock ownership. Since class A directors are chosen from officers of banks themselves they would be expected to have banking connections. But the study showed that of the 36 class B directors in the System, all of whom responded, 17 had been directors of banks before becoming Federal Reserve directors, and an additional 4 had held other positions or offices in banks. Of this total of 21, there were only 3 who did not own some bank stock. Of the remaining 15 who had never been directors or officers of commercial banks, 9 owned bank stock. Thus, out of 36 Federal Reserve directors, 30 had some connection with banking.

"Of the 36 class C directors, all of whom responded, 18 had formerly been bank directors and an additional 2 had held other bank positions. Of this group of 20, there were only 3 who had never owned bank stock. Out of the remaining 16 who had never been directors or officers, 5 had owned bank stock at one time.

"Thus, out of the total of 108 directors in the 12 banks, 91 are, or have been, connected with the private banking industry, which they are supposed to regulate.

"OPEN MARKET COMMITTEE EXERCISES TREMENDOUS POWER

"The fundamental monetary powers of the Nation are exercised by the Open Market Committee which is made up, on the record, of five Federal Reserve bank presidents and the seven members of the Board. In practice, however, all 12 presidents participate in the deliberations which, of course, are conducted in secret every 3 weeks. Thus, the basic power for good or ill in our economy is exercised by a group closely identified with the banking community and operating willfully and knowingly outside the pale of Government. This extralegal power is so great that the banker-controlled group can create prosperity, or, by turning the financial screws, can create recession, depression, or even panic. That this power can be abused to the advantage of a particular political party or candidate is too obvious to need elaboration.

"The $36.8 billion portfolio of the Federal Reserve System is a fund that could be considered a recession fund, or a depression fund, and if its masters so choose, a panic fund. There is nothing to prevent them, in an election year, from letting a candidate President know that if he didn't manage to see eye to eye with them for the next 4 years his November election might be endangered.

"PRESENT SITUATION IS A DISTORTION OF CONGRESSIONAL INTENT

"Contrary to notions spread around by spokesmen for the banking interests, this shocking state of affairs was never sanctioned by the Congress. It was deliberately engineered by the banking interests, aided, I regret to say, by the inactivity of the Congress which failed to take action as, step by step, the people's control of their own monetary powers was whittled away.

"The Federal Reserve Act, as passed in 1913, was never intended to set up anything like the system that exists today. What the act did was establish 12 regional banks, each with autonomy in its own region and designed to operate more or less automatically to provide a flexible supply of money and credit under general supervision of a Presidentially appointed Board. There was no central bank; President Wilson was opposed to the whole concept of a central bank. He also laid heavy stress on public control. When the act was under consideration in 1913, President Wilson said: 'The control of the system of banking and of issue which our new laws are to set up must be public, not private. It must be vested in the Government itself so that the banks may be the instruments, not the masters, of business and of individual initiative and enterprise.'

"This is the crux of the matter. There is no reasonable basis in public policy for permitting bankers to run the central bank. Indeed, Wilson, when approached by bankers who desired to assure themselves of control of the Federal Reserve System when it was in the stage of formulation asked them, 'Which one of you gentlemen would condone putting railroad presidents on the Interstate Commerce Commission?' "

The leaders of the banking community did not win their points with Woodrow Wilson, but they achieved certain compromises in the final legislation, one of them being the provision under which a majority of six out of the nine directors of each regional Federal Reserve bank are chosen absolutely by the banking community. It is this provision, more than any other, that has been the Achilles' heel in the Federal Reserve System, permitting the bankers to dominate and centralize a system which was meant to be made up of 12 autonomous regional banks.

"PRESIDENT WILSON OPPOSED CENTRALIZATION OF FED

"It is important to note that, at the time of the Federal Reserve legislation, in 1913, the basic issue was whether or not the Federal Reserve would be a central bank or a system made up of 12 independent regional banks. The Aldrich Commission had proposed a system of branch Reserve banks operating under the control of a central Board of Directors. Under this system, the branch banks would have carried out mechanical operations without any control over policy. The Aldrich plan was a big bankers' dream and it was opposed strenuously by President Wilson. Thanks to his vigorous efforts and those of the many other patriotic legislators mindful of the public interest, the Aldrich plan was rejected in favor of a system of semi-autonomous regional banks which had the power to buy and sell bonds and notes of the United States and of States and counties, to purchase and sell bills of exchange, and to establish discount rates. The Board, which was appointed by the President, had certain supervisory powers, such as the right of review over discount rates. The power to conduct open market operations, which is, of course, the basic power to control the money supply, was not recognized at the time, and it was believed that the power to establish rates of discount was the essential one in the system. It was this feature that was meant to provide a flexible money and credit system.

"Under the Aldrich plan, the Central Board of Directors, which would run the System, would have been made up of eight people chosen from the System and the Comptroller of the Currency. Clearly, it would have given control of the System's policies to private banks through the power to buy and sell securities in the open market.

"In contrast to the Aldrich plan the 1913 Federal Reserve Act gave power to a Board of Governors that was entirely appointed by the President, and it also provided that one-third of the directors

of the 12 regional banks be appointed by the Federal Reserve Board. There is no question that these Government-selected directors were expected to serve as watchdogs to insure against private banks' abuse of power at the local level of the System. Unfortunately, the legislation as enacted did provide that two-thirds of the directors be chosen by the banks and this proved to be the open door through which the big bankers managed to gain control.

"DOMINANT BANKING INTERESTS MOVE AWAY FROM PUBLIC CONTROL

"One of the first steps away from public control was a palace revolution in 1922 which resulted in the formation of an ad hoc committee of the Presidents of five eastern district Reserve banks to coordinate open market operations. Somehow, they managed to obtain permission from the other banks to conduct the open market function. In 1923 this 'Committee of Governors' which, of course, was completely outside the law, was acquiesced in by the Board, which called it the 'Open Market Investment Committee.'

"As soon as the committee was formed it started on a policy of tightening money and raising interest rates. This was the point at which the dominant elements in the banking community began to reshape the System to their own ends. It was then that they converted the System to a central bank, in direct disobedience of the law.

"In the manipulation of open market operations these men recognized the tremendous power that could be exercised in controlling the money supply and interest rates. The open market function consists of buying and selling Government bonds by the Federal Reserve System. In this way it controls the bank reserves and, ultimately, the supply of money and credit in the country. When it sells bonds, bank reserves shrink, and when it buys bonds, they increase. The portfolio of Government bonds has built up through the years to the present level of $36.8 billion. These interest-bearing bonds were acquired by the Open Market Committee in exchange for Federal Reserve notes which are non-interest-bearing obligations of the Nation. Yet, instead of canceling these bonds and the interest on these bonds when they are repurchased, the Fed holds them and collects the interest. To me, this has always been like collecting interest on a mortgage that is completely paid for and canceled.

"One other important step in the Fed's history was the provision in the McFadden Act of 1927 removing the 20-year limitation on the System so that it now has a perpetual charter. This was the bankers' vote of confidence. By then, they were assured of enough control for them to approve permanent existence for the Federal Reserve System. The two previous central banks had both expired after limited lives. The first lasted from 1791 to 1811, when Congress let its charter lapse after its 20-year life. In 1816, Congress enacted another charter creating the second Bank of the United States and this, too, was permitted to lapse after a 20-year life.

"CHANGES IN OPEN MARKET COMMITTEE

"In 1930, the membership of the Open Market Committee was informally expanded to include representatives from all 12 Reserve banks, and in the 1933 legislation this was put into law, thus giving legal sanction to this complete domination of the fundamental money powers by the private banking interests. Significantly, this legislation was reported by the House Banking and Currency Committee without any hearings and it slipped through the House without a record vote after an intensive campaign led by the American Bankers Association. In the words of Representative Lemke, of North Dakota, 'A bill of this kind could never have been born in the bright sunlight of day. It had to be born in executive session.'

"LEGISLATION OF 1933 A BANKER'S VICTORY

"The 1933 legislation also contained provisions extending the terms of the six appointed Governors to 12 years and placing them on a staggered basis. The legislation was clearly and bluntly contrived to put the Federal Reserve Board beyond the reach of the President and the administration, and it served its purpose. It was a great victory for the bankers.

"But, this time, they had gone too far and there was a reaction. In the aftermath of President Roosevelt's overwhelming victory, he determined upon the work-relief program to ease the ravages of the depression. Recognizing that the Federal Reserve System would have a key role in determining the reception to be accorded the necessary borrowing by the banking system, he was fearful that the Reserve banks might exercise their power to block his program by failing to take appropriate action in the open market. In particular, he was afraid that they would offset the stimulative effects of large-scale Government spending. This situation is documented by Marriner Eccles, who served for many years as Chairman of the Federal Reserve Board.

"THE 1935 REFORM BILL

"In 1935, President Roosevelt submitted a reform bill. The original bill, as proposed by the administration and passed by the House in 1935, would have kept a Board with six appointed members and with the Secretary of the Treasury and the Comptroller of the Currency serving as ex officio members. However, both of these officials were knocked off the Board in the Senate. In the final bill, appointments to membership were scheduled over periods of from 2 to 14 years so that not more than one would expire in any 2-year period. The 14-year term has remained in the law to the present time. Furthermore, the Chairman has to be selected from the members of the Board. When Chairman Martin's term expired during the administration of President Kennedy, the President found his hands tied so far as any freedom of choice was concerned. He was limited to the seven members of the existing Board.

"A President who serves two full terms will not have the opportunity to appoint more than two members in his first 4 years in office. The third would come in the first half of his second term. Of course, under a recent amendment to the Constitution, no President can serve longer than two terms.

"PRESIDENT IS HELPLESS TO CHOOSE A BOARD

"It is interesting to look at the specific situation at the present time as it affects President Johnson. Of the present seven members of the Board the first expiration date is that of Mr. C. Canby Balderston, whose term expires January 31, 1966. The second is Mr. Charles N. Shepardson, whose term expires January 31, 1968. Thereafter, the expiration dates extend on up through 1978 as follows: Mr. William McC. Martin, Jr., January 31, 1970; Mr. A. L. Mills, Jr., January 31, 1972; Mr. Dewey Daane, January 31, 1974; Mr. George W. Mitchell, January 31, 1976; and Mr. J. L. Robertson, January 31, 1978.

"It is evident that this schedule of terms precludes the President from ever appointing a Board of his own choosing. He has two reappointments in his first term and, assuming a second term, he would have one reappointment at the beginning of a second term while the fourth would not come up until his last year of office.

"CONTROL OF THE OPEN MARKET COMMITTEE—THE 1935 COMPROMISE

"A most important feature of the original 1935 House bill was a drastic revision of the Open Market Committee which, because of its vast control of the money system, is the most powerful group in the world. The House bill would have placed this important function in the Federal Reserve Board and relegated the Committee of bank presidents to an advisory role. This House bill passed, 262 to 110, on a vote of record. However the Senate subsequently considered and passed a bill that was much more friendly to the bankers' position, and this substitute measure passed both the House and Senate without a record vote. Its provisions, which remain in effect to this day provided for an Open Market Committee made up of the Board of Governors and five bank presidents, and it sanctioned the 1933 removal of the Secretary of the Treasury and the Comptroller of the Currency from the Federal Reserve Board, thus eliminating the possibility of any day-to-day administration influence on the Board.

"NEW YORK BANK RUNS THE SHOW

"Since enactment of the 1935 legislation, there have been other developments which strengthen control of the System by the banking community. For one thing, the president of the New York bank was made a permanent member of the Open Market Committee in 1942, effective March 1, 1943. Second, the operations increasingly have become centered in the New York bank which now conducts the open market operation in its entirety. The 11 other banks conduct no open market activities; they are mere service centers for check clearing and similar functions. They do not even know their condition until the New York bank sends them a telegram to advise them. It is the New York bank

which assigns the other 11 banks their share of the portfolio of Government bonds held by the Committee. These bonds, of course, are the basis for the earnings of the various banks. Detailed questioning of the bank presidents during the 1964 hearings held by the Banking and Currency Committee revealed that most of the bank presidents do not even know how the allocation of the portfolio or its income is determined. That is all handled in New York and the other 11 banks are merely passive recipients.

"This is particularly revealing inasmuch as the original Federal Reserve Act never mentioned New York. As a matter of fact, it contemplated taking the money market out of New York and decentralizing it to the 12 regional banks, with the sole overall coordination to come from Washington.

"These developments in the history of the Federal Reserve, all of which were made possible by the inaction or indifference of the Congress, put the Federal Reserve System well beyond the reach of the people and their elected representatives. It had become an autocracy and it has so remained.

"This was accomplished through a number of steps which may have looked small or harmless at the time. But each formed part of a pattern that added up to control of the central bank by the private commercial banks.

"EXISTING SITUATION INTOLERABLE AND DANGEROUS

"The existing situation is intolerable in our society which, as Madison said, is a 'democracy in a republic.' The welfare of the Nation is at the mercy of a group who not only are beyond popular control but openly admit it, and assert that the people, through their elected representatives, cannot be trusted to exercise their own monetary powers—in spite of the Constitution which vests the money powers in the Congress.

"Inevitably, the Federal Reserve System reflects the bias of those who dominate it. Interest rates are the bankers' income; and the higher they are, the more the lender receives. Bankers live on debt. If there is no debt, there is no money and no interest. Bankers want only high-grade, low-risk debt paper, especially Government bonds. In fact, the one thing they do not want is for the Government to pay off the public debt.

"Prof. John Kenneth Galbraith, testifying before the committee on February 24 stated that 'it is hard to recall any occasion when the Federal Reserve was known to be agitating for lower interest.'

" 'We have come to envisage the Open Market Committee,' he said, 'as a group of men of excellent character and reassuring demeanor who meet to consider whether there is good reason for tighter money.'

"Professor Emeritus Seymour Harris, testifying on the same day, stated as follows:

" 'Financial groups seem to believe that the higher the price of their product, the more profits.

" 'They exercised excessive influence in the 1950's when long-term rates rose by two-thirds. But, in my opinion, they will do better with lower rates. Their attitude toward restrictive monetary policy since 1961 only strengthens the case for the exclusion of the Federal Reserve bank presidents from the Open Market Committee, as Congressman PATMAN so effectively argues.'

"LID TAKEN OFF INTEREST RATES IN 1953

"It is instructive to compare the history of monetary rates in the period 1940–52, with the period of the Republican regime, 1953–60. In the first period—which included the recovery from a terrible depression, the most destructive war in history, a global reconstruction period, and the Korean hostilities—our Government was able to finance itself adequately and without the rate on long-term Government bonds ever going above 2½ percent. In fact, during these 12 years, no bond ever sold below par. By contrast, when the Republican regime came into power in 1953, the brakes were taken off and the Fed showed its true colors. Interest rates began to rise early in 1953. The yield on long-term Government bonds was 2.68 percent in 1952. By June 1953, it was 3.13 percent. The result was a recession that began in the middle of 1953 and, because the economy faltered and expansion slowed, interest rates finally dropped for cyclical reasons. Undaunted, however, the Federal Reserve began to push up rates again and, by June of 1957, the long-term yield averaged 3.58 percent. By October, it was 3.73 percent and another recession started. And all economic activity fell off, with the result that interest rates fell again for cyclical reasons.

"In spite of these two bitter lessons, involving vast damage to the economy and heavy unemployment, the same conduct was repeated in the recovery period after the 1957 recession. This time, the Fed actually decreased the money supply and forced interest rates up to 4.37 percent by January 1960. The result, again, was a recession which lasted until the Democrats came back into power. From that time on, the Fed, tempering itself to the prevailing winds, has maintained a more adequate money supply—sufficient, at least, to permit the prolonged recovery we have had since then. But they are always ready to seize the slightest pretext to raise rates.

"CONGRESS MUST BE VIGILANT

"Congress must exercise the greatest vigilance against such attempts. Tragically, it has been the failure of Congress to exercise its responsibilities in the field of money that has permitted this deplorable situation of banker control to develop. Congress has not been alert to what has been happening.

"A more detailed history of interest rates on long-term Federal obligations can be obtained from a publication of the House Banking and Currency Committee, entitled, 'A Primer on Money,' which is available at the Government Printing Office for 40 cents. This shows the actual rates monthly for each year, from 1919 to 1964.

"DANGEROUS LEVEL OF INTEREST RATES

"Interest rates are at a dangerous level. The long-term rate on new issues is well over 4 percent and, as indicated in the report, there is a campaign underway to lift the present statutory ceiling of 4¼ percent on long-term Government bonds and force up the whole level of interest rates. It is well to remember that in 1958, when the Fed was in the middle of its last big money-tightening campaign, there was a determined move to lift the 4¼-percent ceiling. This move was forestalled only by prompt action on the part of a number of us in the Congress who formed a steering committee to resist the attempt.

"The 4¼-percent rate was established in the Second Liberty Loan Act, which was passed in September 1917. Under its provisions, the Secretary of the Treasury, with the approval of the President, has the power to set the interest rates on long-term obligations of the United States within a ceiling of 4¼ percent. Thus, this ceiling has been in effect for almost 50 years, through the vast changes in that period ranging from deep depression to global war. And never in that time has the 4¼-percent ceiling been breached. But it is in jeopardy now, and it is obvious that the high-interest campaign has the enthusiastic support of Chairman Martin who, in his testimony before the committee, came out flatly for removal of the ceiling.

"NO CONGRESSIONAL CONTROL

"Federal Reserve officials frequently resort to the argument that they are in the last analysis answerable to the Congress. But this is misleading.

"In the first place, the normal congressional control is through the power of the purse, through appropriating funds for the operation of Government agencies, and through its postaudit function, conducted by the General Accounting Office. The Fed, however, is not subject to either. It has never undergone an outside audit and it derives far more income than it needs through income earnings on the open market portfolio, earnings that exceed $1 billion a year. The Federal Reserve System uses as much of these funds as it wishes, allocating some to surplus and paying the balance over to the Treasury.

"In the second place, the Congress is not in a position to exercise the day-to-day supervision of important public agencies that the executive department is. The President is entrusted with this executive power under our Constitution. If the Federal Reserve errs in its monetary policy, the only sanction Congress has is to abolish the System, or revise it drastically. Obviously, this is a drastic control measure which cannot realistically be used. Moreover, the powerful bankers' lobby is always vigilant to protect the System's 'independence' against any congressional scrutiny or direction. Such activities are invariably castigated by them as 'political interference.' As a result, the Federal Reserve System can be equally as resistant to the Congress as it is to the President.

"FEDERAL RESERVE ACTIONS MUST BE COORDINATED WITH OTHER NATIONAL POLICIES

"In the United States of today, the achievement of maximum employment is a specific national goal, and both the

President and the Congress have a solemn responsibility under the Employment Act to pursue it. The Employment Act of 1946, which I took the lead in formulating and getting through the House, did not say that all agencies except the Federal Reserve should contribute to the promotion of maximum employment, production, and purchasing power. Clearly, the Fed's responsibility is to the Nation and its policy affects the whole Nation in a most fundamental way and should therefore be completely accountable to the whole Nation. Yet, in fact, the Fed has gone its own way and has never coordinated its activities with other Government programs, despite the fact that section 2 of the Employment Act of 1946 declares it to be the 'responsibility of the Federal Government to coordinate and utilize all its plans, functions, and resources to promote maximum employment, production, and purchasing power.'

"The President and the Congress must be able to require that the Fed refrain from jeopardizing economic policies which the Congress and the President, as the elected officials of the people, have established as necessary. When the President submits his economic program to the Congress under the requirements of the Employment Act, he has to include recommendations on monetary policy. These run to the very heart of our economic welfare. The President is the one person and the only one who can coordinate the whole national program. It is ridiculous to give the President the burden of responsibility for diplomacy and war, for national security, for our nuclear arsenal, the national budget, selective service, and debt management—and yet at the same time permit the Federal Reserve to assert that the Chief Executive cannot be trusted with authority over monetary policy. The same principle applies to the Congress, which has the vast responsibility of enacting the laws to establish our Army and Navy, draft young men, levy taxes, and pass hundreds of other laws that affect the lives of every citizen.

"Such a state of affairs is intolerable in the world of today. Yet the Federal Reserve System continues to be organized as though its responsibilities and accountabilities were to the banking community. And the bankers continue to spread the doctrine that it is all right for the Government—the Congress and the President—to exercise all these tremendous powers, but not for the Government to control the money supply. That, they would have us believe, must be left to the mercies of the bankers.

"WELFARE OF CITIZENS IMPERILED BY BANKER DOMINATION OF MONETARY SYSTEM

"Interest rates have a tremendous effect on the well-being of every citizen. Our total national debt, public and private, is $1.3 trillion. A 1-percent interest rate on this amount is $13 billion. This conveys some idea of the tremendous leverage that the prevailing level of interest can exert. It is not too much to say that an arbitrary increase in interest rates automatically sentences millions of workers to unemployment and businessmen to bankruptcy.

"So long as our most important institution remains under banker domination and beyond the reach of executive and legislative control, our welfare is imperiled. In my view, the most important economic and governmental problem facing the Nation today is the need for immediate rehabilitation of the Federal Reserve System, so that it is again subject to the will of the people, acting through their elected representatives. If the big bankers are able to have their way they will continue to encourage monetary policies that will produce larger and larger public debt and higher and higher interest rates. If they have their way, our national debt will be $600 billion in 15 years, which, at a 6-percent rate of interest, will cost the taxpayers $36 billion a year. This would mean that so much of Federal revenues would be required for debt carrying charges that insufficient funds, if any at all, would be available for veterans' programs, social welfare, housing, community health, and the many other services needed by our people."

COMMITTEE ON RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules have until midnight tonight to file a privileged report on the Coast Guard authorization bill.

The SPEAKER pro tempore (Mr. GIBBONS). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE SELMA, ALA., SITUATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Alabama [Mr. GEORGE W. ANDREWS] is recognized for 60 minutes.

Mr. GEORGE W. ANDREWS. Mr. Speaker, several weeks ago I offered a resolution asking for an impartial congressional committee to be appointed by the Speaker to go to Selma, Ala., and determine what the true facts are: determine what the people of Selma and business officials are doing and have been doing; and, what any outside agitators are doing and have been doing in recent weeks, then make a report back to the American people through the Congress of the United States.

My resolution has not received favorable action.

The cunningly calculated torment of Selma and Dallas County is the biggest, cruelest, and most unjust publicity stunt staged in a long time.

After dining in white cafes, sleeping in white hotels and enjoying all other public accommodations without bloodletting or any other cause celebre to attract national attention, the imported troublemakers switched their profession of injustice to claiming Negroes were unable to register as voters. They have managed to have some heads knocked, Federal court injunctions issued, and miles of television film taken. The publicity harvest has been great indeed. But, what about the real facts as regarding the registration of Negroes as voters?

Although it cannot get the message across to the Nation, the Dallas County Board of Registrars asked State authorities last December for special permission to hold additional registration days in January "to give our citizens further opportunity to qualify." The Governor of Alabama granted the Dallas County Board of Registrars 10 additional days and the people of Dallas County were so informed and both foreign and domestic agitators knew of this.

What happened after the board was granted these additional days for registration? On the 4th of January two Negroes and four white persons appeared and executed applications; on the 5th no Negroes but six whites; on the 6th four Negroes and one white; on the 12th four Negroes and two whites; on the 13th seven Negroes and one white. Then on the 18th of January a long line containing such great numbers until it was obvious to all, no such number could hope to be processed in 1 day. One of the members of the board stated:

> A number of applicants having gained admittance to our office indicated clearly they did not want to be there. There also appeared several Negro would-be applicants who could not read nor write.

Recently Judge Daniel H. Thomas, Federal district judge at Mobile, Ala., issued an order requiring the board of registrars to "expedite the registration of voters in Dallas County by receiving and processing at least 100 applications on each registration day, provided that number of persons present themselves for registration, and further to provide adequate personnel and facilities for the registration of voters so that at least eight applicants can apply for registration simultaneously."

I submit, Mr. Speaker, that under the present court order qualified Negroes can register now in great numbers if they so desire. My information is that nine-tenths of the demonstrators and marchers in Selma have no interest whatever in registering. These demonstrations are inspired by reasons other than that of registering.

Judge Thomas further ordered that "in the event the defendants are unable, except for good cause shown, by the end of the special registration days in July 1965, to receive and process all of the applications from persons who have signed the priority sheet and have presented themselves at the provided time to be processed prior to July 1, 1965, this court will deem that all such persons, not processed, have been denied the opportunity to register within the meaning of 42 U.S.C. 1971(e) and will instruct the voter referee, already appointed by this court, to receive and process applications submitted by them."

Let me ask you in all frankness what good could possibly come from marching from Selma, Ala., to Montgomery, Ala? The highway selected for the proposed march is U.S. Highway 80 running from Savannah, Ga., to San Diego, Calif. It is one of the busiest highways in the South, and about one-half of the highway from Selma to Montgomery is double lane. Visualize, if you can, the potential trouble that could occur if that heavily traveled highway were clogged

with marchers. Governor Wallace has stated that if Federal District Judge Fred Johnson in Montgomery issues an order permitting such a march he will respect such an order. On the other hand, the Reverend Dr. Martin Luther King has stated publicly that he would defy such an order against the march. As a matter of fact, he recently defied a tentative restraining order enjoining him from leading a march on that highway.

In my opinion the presence of Dr. King in Alabama is solely responsible for the trouble we are having today. His record indicates that wherever he goes there is trouble. If he were to leave the State of Alabama today, in my opinion, there would be no further trouble.

Have you realized what type man he is? Recently one of the greatest Americans of all times—a man who is knowledgeable about crimes of all types and about criminals of all stripes—Mr. J. Edgar Hoover, the able Director of the Federal Bureau of Investigation, stated publicly that Martin Luther King is not one of—but "the most notorious liar in the United States of America." Let me repeat that. Mr. Hoover stated publicly that Martin Luther King was "the most notorious liar in the United States of America." Mr. Hoover has not retracted that statement, and I cannot for the life of me see how so many misguided people in America have followed and continue to follow a man with the reputation that King has.

In my opinion Governor Wallace has done a good job in Alabama during the last trying 9 weeks in trying to preserve law and order. I am sure there have been occasional acts of violence on the part of law enforcement officers which he and I both deeply deplore. You can realize, however, that screaming people by the hundreds marching in the streets and on the highways create a frustrating and unusual situation. I am sure the so-called police brutality has been no worse in the State of Alabama than in any other State in the Union.

I have known Governor Wallace all of his life. I know him to be a law-abiding, upstanding, Christian gentleman, and no one abhors violence more than he.

Governor Wallace has been the target of a biased and unfriendly national press. In his appearance on a nationwide TV program last Sunday he made a newspaper reporter admit that a vicious story printed by him defaming the State of Alabama and Governor Wallace was untrue. This story was with reference to the failure of hospital authorities in Marion, Ala., to render medical aid to a Negro who had been shot. Governor Wallace stated emphatically and truthfully that no hospital in Alabama had ever denied treatment to a person because of his race, and that if any such case were brought to his attention he would take drastic action immediately. The newspaper reporter admitted that the original story was untrue, but he said he wrote a second story retracting the first story. As you well know, Mr. Speaker, the first story makes the front page and the second story making a correction usually is found hidden somewhere inside the paper.

When the Civil Rights Act of 1964 was under consideration as an inducement for passage we heard quite a bit about getting racial disputes out of the streets and into the courts. Justice Hugo Black recently wrote:

> The streets are not now and never have been the proper place to administer justice. Use of the streets for such purposes has always proved disastrous to individual liberty in the long run, whatever feeling benefits may have appeared to have been achieved. And minority groups, I venture to suggest, are the ones who always have suffered and always will suffer most when street multitudes are allowed to substitute their pressures for the less glamorous but more dependable and temperate processes of the law.
>
> Experience demonstrates that it is not a fair step from what to many seems the earnest, honest, patriotic, kind-spirited multitude of today to the fanatical, threatening, lawless mob of tomorrow. And the crowds that press in the streets for noble goals today can be supplanted tomorrow by street mobs pressuring the courts for precisely opposite ends.

The situation has deteriorated considerably since the Civil Rights Act was passed and since Justice Black wrote that dissertation. So much has been taken to the streets in Selma and to the Selma-Montgomery highway that the original objective, whatever it may have been, has been fragmented into new issues of provocation and agitation.

About the only thing clear at this stage is that the street performers have shown emphatically they prefer the streets—with TV cameras, et cetera—to courts. Further, the performers smugly demonstrate that they consider themselves either privileged to interpret the law or above the law.

U.S. Judge Frank Johnson at Montgomery issued an order restraining King and his associates from marching on the highway from Selma to Montgomery until there was a "judicial determination of the matters involved." President Johnson at Washington urged all concerned "to approach this tense situation with calmness, reasonableness and respect for law and order."

King said Judge Johnson's order was "an unjust injunction" and marched anyway, blandly admitting he had defied a Federal court. As for President Johnson, King said that the President had no right to ask him and his demonstrators to halt their planned march and, in effect, was intruding by asking him to respect law and order.

This should be no surprise. For many weary months King has been saying there's nothing wrong in breaking laws that he considers unjust and this statement has invariably been accompanied by threats of even broader civil disobedience. For a long, long time he has been advising Negroes they have a divine right to break laws until they have a hand in making laws and, further, that they have the white man on the run and should keep him in that state of exercise.

Nothing of good and permanence ever came from brash and hurried action. Ancient Chinese wisdom says to this point:

> It is not a wise man who climbs a slender tree in hurricane season to see which way the wind is blowing.

It is also not wise to attempt to prevent action until the cause of such action is determined.

I address myself to the racial situation that erupted in Selma, Ala., recently. It is my hope that my colleagues will carefully consider the vents in that strife torn city so that they can determine for themselves the true cause of the trouble there.

The pretense of the whole ugly, senseless affair is that the Negro in Dallas County is not being allowed to register and vote. Yet, for those who care to examine the record, the facts are to the contrary. Dallas County was registering Negroes and whites alike under the watchful eye of a Federal court; and, it is important to note that the court was fully satisfied with the rate and method of registration.

In fact, recently, Gov. George Wallace opened the registration places for an additional 10 days specifically to give the Negro every opportunity to register. But, Mr. Speaker, I would like for you and my fellow Members of the House to weigh carefully the fact: only 26 Negro citizens showed up at the registration booths ready and willing to apply for voting rights.

With this as a background, it is easy to see how ridiculous the events of past weeks are in Selma. Truly, I am sorry that human beings had to be policed into obedience—and I am deeply, deeply grieved that a fine Christian man of God should end his virile ministry in such a sordid way. But the grief, tragedy, regrets, remorse, and sorrow do not take one iota from the constitutional responsibility that all citizens must be equally protected against infringements on their basic freedoms and rights. In correcting the injustice to one man, we must not unwittingly deprive others of their rights.

Police action was directed at making Alabama highways safe for all people, Negro and white. It was not, as some have irresponsibly suggested, to deprive anyone of the rights of freedom of assembly and redress of grievances.

Now, the result of all this misunderstanding, as the prophets of the Old Testament warn us, is leading to more misunderstanding. The President is pressing the Congress to pass a bill with the same emotional fervor that the South has been accused of using in the preservation of its integrity.

No matter how good the intentions of the Chief Executive are, he is asking us to "climb a slender tree in hurricane season to see which way the wind is blowing." He is asking the Congress to act out of impatience, petulance, and peevishness.

This may be an accepted manner for recommendations to come to Congress, but it is no way for them to be handled once they are here.

Let me ask you to approach this serious matter of depriving the States of a right so clearly given them in the Constitution with an air of calm and deliberation, and to ponder the long range effects of this attempt at unlawful seizure of power.

Place this matter in proper perspective and give it the right frame of reference; otherwise, we will be as a man looking out to see a scuffle in front of his door,

not knowing if he is witnessing a street fight or an insurrection of mass proportions.

The leaders of the so-called civil rights movement should be examined closely and their real motives carefully scrutinized. We must remember that the noted liberal columnist Joseph Alsop said in his April 15 message in the Washington Post last year:

An unhappy secret is worrying official Washington. The secret is that despite the American Communist Party's feebleness and disarray, its agents are beginning to infiltrate certain sectors of the Negro civil rights movement.

This is not to say that all of the Negro's apparent social unrest is due to Communists in their midst; but it is of uppermost importance to note that whatever the symptom of the disease, the Negro's use of Communist tactics of fear, mob action, and general chaos are prevalent.

Should the Communist Party come from hiding and use the same methods in their own name, they would not get to the proverbial "first base." Why then do we neglect our sanity in the case of the Negro movement?

To alert my colleagues to this threat, once more I am, with the permission of the House, including background material on leaders closely associated with the so-called rights movement.

Mr. Speaker, I yield to the gentleman from Virginia [Mr. TUCK].

Mr. TUCK. Mr. Speaker, I appreciate the gentleman from Alabama yielding to me. I want to associate myself with the sentiments which he expressed. While I am unacquainted with the situation in Selma, Ala., except for what I have read in the newspapers, I have the honor to represent the Fifth District of Virginia, in which is located the city of Danville. That same horde descended upon us some years ago.

Mr. Speaker, it is the right of every qualified citizen to vote in America. I as one uphold that right. Although it was alleged that the Commonwealth of Virginia is one of the States to be interdicted, if there has been any discrimination in recent years against minority races with respect to their voting rights in Virginia, I have no knowledge of it. I deny vigorously any such statements that would reflect discredit upon the good people of our proud Commonwealth.

I have served in public life in Virginia possibly longer than any other, except maybe one or two citizens of the country.

I served in the Senate and House of Delegates of Virginia for approximately 18 years. I was elected to serve for 4 years as Lieutenant Governor of the State of Virginia. I was elected to serve 4 years as Governor. I know our people. I know the registrars and I know the election judges and I know the officials of the State of Virginia, and I know it is not in the hearts and minds of the people of Virginia to deny the constitutional rights of any citizen.

I would remind our detractors and others who would inveigh against the good people of our Commonwealth that our Constitution of the United States was practically born on the soil of Virginia. One of our citizens, James Mason, is known as the father of the Constitution.

The first 10 amendments to the Constitution were bodily lifted from that great instrumentality of freedom penned by that great Virginian, George Mason, known as the Virginia Bill of Rights.

I deprecate the fact that any responsible source would make such a reflection upon the people of our Commonwealth when I believe we hold a record that is equal to if not superior to that of any other State in the American Union.

On yesterday I received a telegram from the Honorable W. C. "Dan" Daniel, past national commander of the American Legion, who lives in Danville, Va. He is presently a distinguished member of the House of Delegates of Virginia. In this telegram Mr. Daniel informs me that some years ago he and a colored man by the name of Dr. L. C. Downing, a respectable citizen from the city of Roanoke, serving as a subcommittee of a Citizens' Committee on Fair Voting in Virginia, went all over the State and made press announcements of their meetings to determine whether or not there was any discrimination within our Commonwealth with reference to voting. They found no evidence. Not one single man, white or black, turned up to cast any reflections along these lines.

Mr. Speaker, I ask unanimous consent to include as part of my remarks the telegram from Mr. Daniel.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The telegram is as follows:

DANVILLE, VA.,
March 16, 1965.

Hon. WM. M. TUCK,
House Office Building,
Washington, D.C.:

I should like to express the view that Virginia does not deny the right of franchise to any citizen who meets the minimum voter requirements of the Commonwealth which are among the least restrictive of all the States of the Union. In 1958 Dr. L. C. Downing, a prominent Negro citizen of Roanoke, and I were appointed by the full Virginia Civil Rights Advisory Committee to undertake a study of voting conditions in Virginia. Although statements were made in the public press that the purpose of our inquiry was to determine if any discrimination existed, not one single person came forth to register a valid complaint. We searched in vain for unfavorable evidence. There simply was none. I was therefore surprised to hear that Virginia was mentioned in connection with proposed voter legislation.

W. C. "DAN" DANIEL.

Mr. TUCK. Mr. Speaker, it is resented bitterly by me and all other right-thinking Virginians that we would be so maligned and so demeaned and so denigrated by people who themselves are not worthy of and are not entitled to respect. I refuse on my part to allow this wild, headlong scamper of pilgrims to frighten me into precipitous and unwarranted action that will deprive the States and the localities of the time honored power to determine the qualifications of the voters.

I rebuke these lawless agitators and I disdain and hold them up to the just scorn to which they are entitled.

They would strike terror into the hearts of the people of this country and in the minds of officials and citizens and thus intimidate and coerce the Congress into enacting laws that would amount to yielding to their dictation.

I decline to join in the repetition of the senseless slogans and songs, and churlish chants of these irresponsible and irreconcilable harpies who threaten the peace and tranquillity if not indeed the security and safety of the people of this Nation.

The proposals advanced, as I understand them, constitute a deviation and departure from regular election procedures as old and well established as the Constitution of the United States itself.

They would bring the country to a complete surrender to this unworthy horde who have descended on various parts of the country for the purpose of fomenting strife and discord, and whose plain and ultimate objective is to destroy the form of government which we have enjoyed in this country for hundreds of years. The demands of these incendiaries are insatiable—next it will be the walk-ins, the wait-ins and the buried-ins.

From the description of the bills which have been sent to us, it would appear that if you are a Negro you have the right to vote and that all other standards of eligibility amount to nothing and are struck down.

Under these proposals it would appear to be the policy of the Federal Government to send proconsuls and inspectors into the various precincts of certain States to require citizens not only to register but also to vote whether they desire to do so or not.

I might remind these impractical-minded humanitarians that in Russia they have universal suffrage. We saw the picture of Mr. Khrushchev, who was virtually a prisoner, as he came out to vote the other day. Freedom is lost in that country. It has toppled over into the abyss of lost liberty.

It is a significant fact, Mr. Speaker, that the theme song, "We Shall Overcome," of these unholy caravans who invade the land is, according to the Library of Congress—and I checked with the Library this morning—credited to four individuals, two of whom are of questionable character and one of whom was indicted and convicted for contempt of the U.S. Congress for refusing to answer the questions of the late Honorable Francis E. Walter, of Pennsylvania, relating to his membership in the Communist Party. At that time, Chairman Walter and the members of that committee made known to him that they had in their files and before them the undisputed sworn testimony of an individual to the effect that this man, who was the author of that song, was a Communist.

Mr. GEORGE W. ANDREWS. Mr. Speaker, I thank my friend for that statement. I say to the Members of this House that if as a matter of fact that the author of the song, "We Shall Overcome" was a Communist, it is high time for a committee of this Congress to

investigate what they intend to overcome. We may find that instead of trying to overcome something they want to overthrow something.

Mr. SELDEN. Mr. Speaker, will the gentleman yield?

Mr. GEORGE W. ANDREWS. I yield to the gentleman from Alabama [Mr. SELDEN].

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, despite what the people of this country may have gathered from the newspaper headlines and despite what may have been said on the floor of the House during the past few weeks, I can assure you that the vast majority of Alabamians, just as all other Americans, oppose violence in any form. It is extremely regrettable, therefore, that recent demonstrations in Selma and Marion, Ala., have resulted in the death of two persons. Yet, as we all are aware from daily reports in our Nation's newspapers, persons who commit violence are not confined to Alabama but live both north and south of the Mason-Dixon line.

While it is the responsibility of the press to report the news as they see it, unfortunately, there have been many distortions of the facts by the news media concerning events that have transpired in Alabama in recent weeks. Let me give you a glaring example that took place in the congressional district that I have the privilege to represent. The Nation was told by UPI, as well as by some nationwide TV and radio networks, that a Negro man, who had been shot in Marion, Ala., was refused treatment at a white hospital in Perry County. Investigation has shown that the two white physicians, who attended the injured Negro at the Perry County Hospital, rushed him to Selma because the hospital at Marion did not have a blood bank and the patient had to have blood in order to undergo surgery. The physicians had the choice of attempting to type his blood, find a donor, and administer it—all with a substitute technician on duty due to the regular technician being out of the county—or send him to Selma, a short distance away where ample blood was available. The physicians administered sedatives and decided it was in the best interest of the patient to send him to Selma since they felt this would facilitate an operation.

However, the same Perry County Hospital treated and admitted as patients three other Negro youths injured in the march. In fact, Jackson, the Negro who was shot, was a former employee of the Perry County Hospital which was accused of refusing him treatment.

Reports of the shooting and the alleged refusal of a white hospital to give treatment to an injured Negro drew national headlines. The UPI has stated that it corrected this error and repudiated the former dispatch. Nevertheless, the correction did not receive the same front-page coverage coast to coast as the original story, and today there still are millions of people in America who have the mistaken impression that the Perry County Hospital in Marion, Ala., refused to treat a Negro who subsequently died.

The unfairness of the press regarding the situation in Marion is well expressed by the following paragraph from an editorial, entitled "A Free Press Is Not Free From Responsibility," which appeared in a recent issue of the Greensboro, Ala., Watchman:

> Freedom of the press means merely the guaranteed right to express ourselves. It does not mean a governmental license for a few self-appointed people, often incompetent, to distort and to misrepresent; to subvert the truth or to indulge in unwarranted exaggerations for the purpose of increasing advertising revenue. Certainly the public has the right to know, but before our news media can convey the facts to the public, they have got to learn for themselves. When the press association, the radio people, and the television people shot off those bitter telegrams to Governor Wallace, complaining about Marion, they didn't have the foggiest idea of what had really gone on in Marion. They were misinformed, ill informed, or uninformed, we don't know which, but we do know that if this is the best which our news media can offer us, we need some drastic changes—and most of all we need some mature people who will quit squalling about their rights, and begin to study more soberly their responsibilities.

While playing up in glaring headlines the few incidents of violence that have taken place in Alabama, large segments of the news media have played down or largely ignored the fact that, in many instances, those who have demonstrated in Alabama have done so in violation of local statutes. Almost every city has statutes governing parades and demonstrations. Needless to say, no large group would be allowed to march in New York or Chicago or San Francisco without first complying with the local statutes of those cities. Similar statutes are in effect in Selma, Marion, Montgomery, and other cities of Alabama. Yet, these local laws are often ignored or disregarded by demonstrators who have publicly stated that only they will decide which manmade laws they will obey.

The news media in a number of instances also has either played down or ignored the fact that so-called peaceful demonstrators are not always peaceful. On a number of occasions "peaceful demonstrators" have attacked law enforcement officers in Alabama with bricks, bottles, and even knives.

Mr. Speaker, the demonstrations that are taking place in Alabama today are not, as the press would have you believe, a "right to vote drive." Rather they are an "antiliteracy" campaign being waged simultaneously with efforts of the U.S. Department of Justice to abolish literacy as a requirement in Alabama through the Federal courts. Martin Luther King's announcement that he would see to it that literacy tests were abolished for voting came at almost the same time the Justice Department filed suit against the State of Alabama.

Those who would abolish literacy as a requirement for voting attempt to use as their propaganda various contentions that the literacy requirement is presently being used in a discriminatory manner in the South. However, the Department of Justice itself has been able to find evidence in this connection in only 11 out of 67 counties in Alabama, and it has not yet proven its case in 2 of these counties. Furthermore, not a single board of registrars has been accused of any discriminatory practice of any kind since they were appointed in October 1963. All court action since that time has been based on acts that took place before the present boards were appointed. In addition to this, the Department of Justice has not found any discriminatory use of the new voter registration tests that were put into use in February 1964. Even the suit now pending against the State of Alabama does not charge any discriminatory use of these tests as between white and colored applicants.

The legitimate requirement of literacy as a test for voting has long been upheld by the Federal courts. A constitutional amendment was required to remove the poll tax as a requirement for voting in certain elections. Certainly, abolition of literacy tests as a requirement for voting in Alabama and in other States cannot be done constitutionally by any other method. Should Congress, with the support of the courts, succeed in so doing by a simple act of Congress, then is there any reason for Congress not to abolish primaries in favor of nomination by some national party group of those who would be candidates for governor, legislators, judges, or even sheriffs? In fact, why could not Congress abolish elections altogether and thus sound the death knell of democracy itself?

Let us hope, Mr. Speaker, that the Congress will take a careful look at the bill being presented by the President and will not be stampeded into passing this hastily conceived legislation. In the meantime, Mr. Speaker, those in positions of authority and responsibility should urge those who have journeyed to Alabama to demonstrate to return to their homes. Further demonstrations and agitation can only inflame an already tense and dangerous situation.

The following article from the March 15 issue of the New York Herald Tribune graphically illustrates the fact that those who are presently in Alabama for the purpose of participating in racial demonstrations might find there are inequities in their own States which could occupy profitably most of their time and efforts.

FIRST, LOOK TO YOUR OWN

(By Jimmy Breslin)

Yesterday in New York City everybody was wringing his hands over the town of Selma, which is in Alabama. In the morning the clergymen stood in pulpits and preached of the injustice of Selma, and the people sat in the pews and nodded their heads. And at home in the afternoon there was Governor Wallace, of Alabama, on television. And there were the newspapers with stories all through them. And all day people in New York City talked of Selma, which is in Alabama.

And in Ozone Park, which is in Queens, in New York City, right out by the racetrack, Andrew Mormile, 17, did not go to church with his girl friend the way he always did because on Friday night two colored kids had

stabbed him in the head four times; stabbed him with mental institution force, the 6-inch blade going right into the bone of his skull; stabbed him 4 times in the first car of a lighted subway train that was taking him home. And yesterday, the day Mormile did not make church, was overcast and a little damp with rain somewhere in the air and the temperature was only 47, but it will be warmer than that very soon now because we are in the middle of March and April comes very quickly. Then the days start sliding into each other and we will be in June and July with the streets of Harlem and Bedford-Stuyvesant crowded with kids doing nothing in the hot nights and then the worry will be New York City; and Selma, which is in Alabama, will be a small-time memory.

NO IMPROVEMENT

But right now, Selma is an easier place to see. People like Harry Van Arsdale are taken with Selma. He is the big labor leader here in New York and he is down in Selma living with a Negro family. He flew there because he felt labor from this city should be represented there at this time. Van Arsdale is in Selma, and since last summer the trade unions in New York have done almost nothing to make a place for colored apprentice workers so that a race of people living in this city can have words like hope and incentive going for them.

Livingston Wingate speaks out against Selma, too. He is the director of HARYOU-ACT, a program which is government and city supported and is designed to take kids off the streets in Harlem and Bedford-Stuyvesant and train them for jobs they can handle. Here in the middle of March, the program consists of taking in funds and, much paperwork and handshakes and talk. And the streets will be clogged on summer nights and yesterday in Harlem the people marched in protest because along with everybody else they could see Selma so much easier than Harlem.

So look at Selma, and let New York sit. Let it sit with its millions of dollars going into a World's Fair and lights outlining a new bridge and an expressway being planned and the colored living just as they were living at this time last year, with rat bites on the faces of the children and the older ones walking out of schools which they couldn't handle and which couldn't handle them, walking out onto streets filled with dope and home relief and jobs for delivery boys.

BREEDING GROUNDS

Focus on Selma, and let New York stay as it is and we'll have colored guys with knives running through subway trains forever and there always will be a wake for an Andrew Mormile. Didn't we have one right around this time last year? Sure we did. Frank Milano, his name was. He got a knife in the stomach on the IRT. And we'll have more.

We'll have wakes forever. Why shouldn't we? We have the finest breeding ground for murder there is. A Harlem rooftop is the Blue Grass country of crime. A white kid in this city can go out and get into all the trouble he wants to. But because he's white, a lot of times he has to get away from some annoying influence for good. But the colored kid who wants to get in trouble has it made. We have everything set up for him. To begin with, the minute a kid is born colored the price is 12–1 against him and it goes up every day after that. He has plenty of filth, no hope, and the rooftops all around him. And these kids who sit on them just don't go after white people, either. Don't restrict them. They do a pretty good job on everybody.

The other day we happened to look into a courtroom downtown and here were four of them, sullen, sitting at the defense table, glaring at an old dark woman who was on the witness stand. The woman was toothless and broken by her years. The four had grabbed her and pulled her onto a rooftop and made jokes about her while they raped her. What did they care? Age, shape, life, fear, it means nothing on a Harlem rooftop.

But the interest today is in Selma. And the summer is close and in New York only the police are prepared for it.

It always works like this. The politicians do nothing. Mayor Wagner was in St. Petersburg over the weekend watching the Mets. Tonight, he addresses a mass rally to protest Soviet discrimination against the Jews. That's at 8:30 p.m., in the auditorium of Van Buren High School, 230th Street and Hillside Avenue, Queens.

POWDER KEG

And in the summer, a cop, with a wife and three children sitting home, is going to have to go out into the streets with a gun in his hand and put order into a town that has been set up for violence by a winter in which those in charge, white and Negro, did nothing.

Maybe they all forget last summer. Maybe they forget what it was like in this town at 9:30 p.m. on a hot Sunday night when the officer in charge on Seventh Avenue and 129th Street turned around after a bullet from a zip gun hit the pavement near him and he called two cops out of the line, his two good shooters, and they came up to the sidewalk and leaned on a glass outdoor telephone booth and aimed their guns at a window high up on the red brick project and their feet scraped against the sidewalk while they set themselves to shoot at a head if it showed in the window. And behind them, crouched behind the cars, or standing and firing over the peoples' heads, the other cops showed worry and everybody was praying that these two by the phone booth did not get anybody with their guns because right at that moment one bullet in somebody's body, either way, cop or Negro, would have turned this city into something which never has been seen. And everybody who was there knew it and never has forgotten it.

Now it is 8 months later and nothing has been done and it becomes a duty to look to Selma, which is in Alabama. The struggle there is for the right to vote. It is the wrong place for anybody here to look. The place to look is on 129th Street, which is in New York.

Mr. Speaker, I commend my colleague from Alabama [Mr. ANDREWS] for taking this time to call to the attention of the American people some of the facts in connection with the situation that is presently taking place in Alabama.

Mr. GEORGE W. ANDREWS. Mr. Speaker, I thank my colleague from Alabama, and at this time I yield to the gentleman from Alabama [Mr. MARTIN].

Mr. MARTIN of Alabama. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MARTIN of Alabama. Mr. Speaker, the President has demanded of this Congress that we pass without delay, with limited debate and with no changes, his bill which he says is to guarantee the rights of all Americans to vote. Whether it is admitted or not, the President is acting under pressure of mob action, street demonstrations, riots, and defiance of law and order with threats of greater upheaval unless all demands of the instigators of the riots are met. And the President is demanding that Congress join in legislating under such mass hysteria.

I say this is wrong. We will not solve whatever injustice exists in discriminating against Negroes in their right to vote, and I do not deny there have been abuses, by passing hastily drawn or ill-conceived legislation. I shall show you in a moment that the voting picture in Alabama has been greatly distorted. The facts prove that the demonstrations have not been staged to get voting rights for the Negroes, but for a far larger purpose.

I know it is unpopular to point out the Communist influences working within the civil rights movement. The President admitted to me that he knew this was true, but said you cannot keep them out. I do not charge that the whole civil rights movement is Communist inspired, but I do think the American people have a right to know the primary allegiance of some of the leaders of the movement.

A month ago I put into the RECORD a list of the questionable connections of Rev. C. T. Vivian. None of the charges have been denied, but I have been told this is not the matter in question. I say it is an important part of the matter in question if certain leaders of the civil rights movement, the instigators of street demonstrations, White House and Capitol Building sit-ins owe allegiance to a foreign power or a foreign philosophy.

I have here a copy of a speech made by John Lewis, chairman of the Student Nonviolent Coordinating Committee and prominent in the Selma and Montgomery demonstrations. Is Mr. Lewis interested in the voting rights of Negroes? Allow me to quote from his speech delivered to a staff meeting of SNCC in February 1965. This is his current thinking and his reason, by his own words, of the demonstrations in Selma and Montgomery.

Mr. Lewis says in part, and I shall include his entire speech as a part of my remarks so that I will not be accused of taking his remarks out of context. But I point out this significant passage:

> I am convinced more than ever before that the social, economic and political destiny of the black people of America is inseparable from that of our black brothers in Africa.
>
> It matters not whether it is in Angola, Mozambique, South-West Africa or Mississippi, Alabama, Georgia, Harlem, United States of America. The struggle is one of the same. Call it what you may—racial segregation, social, economic, and political exploitation, or what the freedom fighters of South Africa are demanding an end to—imperialism and colonialism. It is a struggle against a vicious and evil system that is controlled and kept in order for and by a few white men throughout the world.
>
> We are struggling against the same powers. We must, must question the U.S. intervention in the Congo. We in SNCC must in good conscience ask of the U.S. Government whether it stands with struggling freedom fighters of South Africa, or with the U.S. supported oppressive government.

Mr. Speaker, those words of John Lewis are exactly the same charges being leveled against the United States by the Soviet Union and every Communist controlled satellite in the world. Do you believe with the SNCC leader that the U.S. Government is exploiting the American Negroes in imperialism and colonialism?

Mr. Speaker, under unanimous consent, I include the entire speech of John Lewis in the RECORD at this point:

STATEMENT BY JOHN LEWIS, CHAIRMAN, STAFF MEETING, FEBRUARY 1965, SELMA, ALA.

With a deep sense of humility I speak to you today in an attempt to share with you some of my feelings and thoughts on SNCC and the civil rights struggle. I have no words of wisdom, nor have I been dreaming great dreams. From the outset I am aware of the fact that we are at a crucial juncture in the history of the Student Nonviolent Coordinating Committee. The situation demands clarity, firmness, and certainty, as well as an unmatched capacity for planning and foresight.

On my arrival in Atlanta after having been out of the country for 2 months, I was thoroughly informed about the questions and issues that were raised at both the staff meeting and the staff retreat. I have read the positions papers, the minutes, and have talked with many members of the staff with great interest concerning the nature of your deliberation in Atlanta in Bay St. Louis.

I only regret that I was unable to take part in the many sessions of serious discussion and thinking. Fortunately or unfortunately I was in Africa on what I like to call a mission of learning, or an attempt to cement the relations between the liberation movement of Africa and the civil rights struggle in this country. I am convinced more than ever before that the social, economic, and political destiny of the black people of America is inseparable from that of our black brothers in Africa.

It matters not whether it is in Angola, Mozambique, South-West Africa, or Mississippi, Alabama, Georgia, Harlem, United States of America. The struggle is one of the same. Call it what you may—racial segregation, social, economic, and political exploitation, or what the freedom fighters of South Africa are demanding an end to—imperialism and colonialism. It is a struggle against a vicious and evil system that is controlled and kept in order for many by a few white men throughout the world.

We are struggling against the same powers. We must, must question the U.S. intervention in the Congo. We in SNCC must in good conscience ask of the U.S. Government whether it stands with struggling freedom fighters of South Africa, or with the U.S.-supported oppressive government.

The cry in the dependent countries of Africa is still "one man, one vote." It is a cry for freedom, liberation, and independence. It is a cry of people to have some control over their political destiny. The cry of SNCC is essentially the same, for it is a cry to liberate the oppressed and politically denied black people of this country. I think we all recognize the fact that if any radical, social, economic, and political changes are to take place in our society, the masses must be organized to bring them about. We must continue to inject something new and creative into the very vein of our society. We must continue to raise certain questions and certain problems that we can neither answer nor solve, but must dramatize them in such a way that they would force the Government to address itself to the demands and basic needs of all people.

I have noticed the constant use by the staff of words "it seems to me." These words are extremely significant. For our job in Mississippi, Alabama, and the Deep South is to get people to say "it seems to me," to get people to express their ideas, their opinions. One of the bases for the freedom school is that the students say "It seems to me."

Those of us in SNCC are only playing roles on the American scene, for we are here today and gone tomorrow. SNCC is one of many forces at work in our society for certain basic change. There is something unique about SNCC which sets us apart from other organizations and groups or at least we tend to think that way. In a real sense I would like to consider SNCC as a spark to begin the flame of basic, social, economic, and political changes. SNCC is the shot in the arm of a sick society. We are the birth pains of the body politic. We have made summer projects respectable; we have made freedom registration acceptable. We have even made the idea of "one man, one vote" respectable; just look around at some of the other civil rights groups.

Our job is to help educate, help prepare people for political action. Our job is to organize the unorganized into a vital force for radical, social, economic, and political change. Our job is to create what I like to call pockets of power and influence, where the people can say "this is what I want and need." Our primary concern must be the liberation of black people. At the same time knowing that there are many white people in this country who are victims of the veils of the economic and political system. Black people feel these evils more for we are not only economically exploited and politically denied but we are also dehumanized by the vicious system of segregation and racial discrimination. So our work must continue to be in the black communities, in the rural areas, the farms and hamlets of the slums and ghettos of the cities.

Too many of us are too busy telling white people that we are now ready to be integrated into their society. When we make appeals for active, moral, and financial support they have been geared toward the white community and for the most part not at all toward the black community. This is true of all the major civil rights organizations including SNCC. We must dig deep into the black centers of power throughout this Nation not just for financial reasons but as a base of political support. I am convinced that this country is a racist country. The majority of the population is white and most whites still hold to a master-slave mentality.

Father Thomas Merton raises this question in his book "Seeds of Destruction." Is it possible for Negroes and whites in this country to engage in a certain political experiment such as the world has never yet witnessed and in which the first condition would be that whites consented to let Negroes run their own revolution, giving them the necessary support, and being alarmed at some of the sacrifices and difficulties that this would involve?

We have reached a crucial moment in American history and the history of the world. For the word revolution is becoming common. In 1960 with the sit-in revolution movement, the freedom ride in 1961, and the other events through the spring of 1963, the word "revolution" was at first accented with tolerance, and as a pleasantly vivid figure of speech. With the Negro masses demanding jobs, Southern Negroes demanding the vote, with the Democratic convention challenge and now the congressional challenge by the Mississippi Freedom Democratic Party, the word revolution is becoming a bad word, with more and more disapproval, because it comes too near the truth. Why? What is a social or political revolution?

What does it mean to say that a people struggling for civil rights amounts to a revolution? Much as it may anger some diehard whites, the fact that a Negro sits down next to a white woman at a lunch counter and orders a coke and a hamburger is still short of revolution. When the Negroes in Lowndes County, Ala., where there are 12,000 Negroes and 3,000 whites, and not a single Negro is registered, get the vote and actually manage and cast their vote on election day without getting shot; this is still not revolution, though there may be something radically new about it. The real question still is who will they vote for: Governor Wallace, "Bull" Connor or Jim Clark?

Southern politicians are much more aware of the revolutionary nature of the situation than are the good liberals in the North, who believe that somehow Negroes (North and South) will gradually and quietly "fit in" to the white society, exactly as it is, with its power structure, its affluent economy, its political machine and the values of its middle class suburban folkways. White America as a whole seems to think that when Negroes of the South begin to use the vote, they will be content with the same candidates who were up the last year and the year before. As a matter of fact, Southern politicians realize very well that when the Negroes turn out in full force to vote, and thereby establish themselves as a factor to be reckoned with in Southern politics, the political machines of the past are going to collapse in a cloud of death. There are enough black people in the South to make any free election death for the status quo.

I think past history will testify to the fact that white liberals and the so-called affluent Negro leader will not support all of our demands. They will be forced to support all of our demands. They will be forced to support some of them in order to maintain an image of themselves as liberal. But we must also recognize that their material comforts and congenial relations with the establishment is of much more importance to them than their concern for an oppressed people. And they will sell us down the river for the hundredth time in order to protect themselves. We all saw this in Atlantic City. For this reason, as well as to support their own self-esteem, white liberals are very anxious to get closer to what they call "seat of power" or to have a position of leadership and control in the black revolution, in order to apply the brakes when they feel it is necessary. Why was the United Civil Rights Leadership Council organized during the summer of 1963? Because a segment of white America felt that the revolution was getting out of hand, and by raising money and promising some big money, they could control the movement. There have been other situations where an attempt has been made to remove the revolutionary sting from the movement. The civil rights revolution is a manifestation of a deep disorder that is eating away the inner substance of our society. Thoreau said "If a man does not keep pace with his companion, perhaps it is because he hears a different drummer. Let him step to the music he hears, however measured or far away." As William Melvin Kelly makes it clear in his first novel, "A Different Drummer," the Negro hears a drummer with a totally different beat, one which the white man is not yet capable of understanding. It is a must for the black people to make themselves visible in order for white America to pay attention. Even white staff members must recognize the fact that we are caught up with a sense of destiny with the vast majority of colored people all over the world who are becoming conscious of their power and the role they must play in the world.

If the movement and SNCC are going to be effective in attempting to liberate the black masses, the civil rights movement must be black controlled, dominated, and led. The oppressed people, the common people, the little people are the people who rise up.

In closing I make an apepal to all of us; not just for SNCC's sake, but for the sake of the total struggle and the people who are depending upon us. I appeal to the silent staff, the intellectuals, southerners and northerners black and white, to move forward in building a better, stronger, and more effective organization with a sense of purpose and direction.

Finally, lest I be accused of chauvinism, we are what we are. We are not the Students.

for a Democratic Society. We are not the Salvation Army. We are not American Friends Service Committee. We are an organization, yet a movement of people with different backgrounds, ideas, hopes, aspirations, working for a just and open society. We are the Student Nonviolent Coordinating Committee.

Mr. Speaker, is John Lewis alone in advocating action far beyond securing the voting rights of Negroes? I would like to quote from an interpretive report printed in the Washington Evening Star, by Haynes Johnson, in an article, "What Lies Beyond Selma?"

And already the Negro leaders are looking beyond Selma to the next battlegrounds.

One of the Negroes, Rev. James Bevel, outlined some of the goals the other night when he spoke at Brown's Memorial Chapel, center of the nonviolent movement.

His words can be taken as part of the overall strategy now being discussed. "I want to say this in terms of what's possible," Mr. Bevel said. "We've been discussing the possibilities of the nonviolent movement. I don't know if we understand this."

He referred to "next year when Dr. King goes to the battlefield in Vietnam." And he talked of activity in Africa, China, and Russia. But the main thrust will remain in the United States.

Mr. Speaker, I would like to include the entire article from the Washington Evening Star at this point:

WHAT LIES BEYOND SELMA?

(By Haynes Johnson)

SELMA, ALA.—When Martin Luther King reached the courthouse steps the sun was beginning to set, the moon was rising over the Alabama River, and the spirit of jubilee was everywhere.

Rabbi Eugene Weiner of Hamilton, Ontario, who had delivered the benediction at the memorial services for James J. Reeb, turned to Dr. King and said:

"Dr. King, have you ever seen anything like this before?"

"Never before; never before," Dr. King replied slowly. "Nothing like this enthusiasm."

They watched as more than 2,000 persons, whites and Negroes, nuns and clergymen, women and children, silently took their places in the street before them.

IT'S BEAUTIFUL

"Look at that crowd. They're still coming," a white priest murmured. "It's beautiful, beautiful."

"Walk, children, walk," said Rev. Fred Shuttlesworth, Negro civil rights leader from Birmingham.

Dr. King, the rabbi, the Greek archbishop, the Negro and white Protestant ministers and Walter P. Reuther, president of the United Auto Workers, continued talking quietly among themselves. They spoke of the spirit of the ecumenical movement inspired by the late Pope John; of Malcolm X, the slain Negro disciple of hatred, and of the nonviolence movement.

Soon the wreath in memory of Reeb had been placed at the door to the courthouse and the marchers had returned to their church.

END OF A PILGRIMAGE

For many of the clergymen it was the end of a long pilgrimage.

For Dr. King and the Negro revolution, the march ending the long street confrontation was a victory. How long it will last, and how permanent it will become is uncertain, for the story of Selma is not over yet.

But it was the break for which nearly everyone had been waiting.

There is scarcely a doubt remaining about the eventual outcome here. The question now is: What next for Dr. King and his nonviolent movement?

It seems clear that a fundamental change has occurred in the nature of the civil rights struggle in America.

The church—Catholic, Protestant and Jewish—has irrevocably committed itself to the battle.

Repeatedly throughout the dramatic events of the past week in Selma, the clergymen who have come here have been told they are regarded as members of a nonviolent army—an army which will fight again and again.

LOOKING AHEAD

And already, the Negro leaders are looking beyond Selma to the next battlegrounds.

One of the Negroes, the Rev. James Bevel, outlined some of the goals the other night when he spoke at Browns Memorial Chapel, center of the Selma nonviolent movement.

His words can be taken as part of the overall strategy now being discussed.

"I want to say this in terms of what's possible," Mr. Bevel said. "We've been discussing the possibilities of the nonviolent movement. I don't know if we understand this."

He referred to "next year when Dr. King goes to the battlefield of Vietnam." And he talked of activity in Africa, China and Russia. But the main thrust will remain in the United States.

POVERTY AND HARLEM

He specifically discussed such campaigns as dealing with the question of inadequate incomes in this country.

"People ask: Why do we want to walk to Montgomery? The answer is, 'We don't have money to go in cars.' That's why," he said.

"Another thing we've got to deal with very emphatically is Harlem. Now, there we're going to have to be willing to have some suffering to get rid of it."

At another point he said: "So in the future, we plan to move out in other directions."

DEFINES TECHNIQUE

Then he gave a working definition of what the nonviolent technique can accomplish.

"Now if nonviolence can contain Jim Clark, it can do anything. If nonviolence can work in Alabama, it can work in South Africa.

"Nonviolence says that when problems are adequately raised in America, they can be adequately dealt with. Nonviolence says something else: When problems are adequately raised in the world, they can be adequately dealt with. It says something else: Nonviolence works."

So, in the future, there clearly will be other tests and other Selmas—and they will not all be in the South.

Now, Mr. Speaker, my time is limited, and I will not dwell on these larger purposes of the civil rights leaders. The target of the moment is Selma and Alabama. We have been told by the President that Negroes are denied the right to vote in Alabama because of the color of their skin. This is not a fact. Lest you think that this charge is raised only by southern Congressmen, I call your attention to an editorial in the Washington Evening Star of last night, March 16. The editorial points out:

At his press conference Saturday Mr. Johnson said every eligible citizen must have the right to vote. There was no such reservation in his address to Congress.

The Star editorial points out the need for some standard of qualification for those seeking to register and further points out:

One reason for this is the presentation of fiction as fact in some part of his address. For instance, referring to the undeniable efforts in some areas of the South to keep Negroes from voting, Mr. Johnson said: "The fact is that the only way to pass these barriers is to show a white skin." The fact is that this is not a fact—at least as far as Alabama is concerned. Assuming that Governor Wallace told the truth on Sunday, and we have seen no denial of what he said, there are some 115,000 Negroes registered in his State. This represents more than 20 percent of all the votes cast in Alabama in the 1960 presidential election.

Mr. Speaker, I place the entire Star editorial in the RECORD at this point:

NEGRO VOTING

Lyndon Baines Johnson was in good form last night. His appeal to Congress for legislation to insure the right of Negroes to vote was a masterful mixture of rhetoric and eloquence—the first half of it was perhaps the best speech he has ever made. At some points the speech was less than factual. But the reaction of the legislators makes clear beyond any doubt that a voting bill will be passed.

The question which remains is: What kind of bill? On this canvas the President painted in broad strokes. At his press conference Saturday Mr. Johnson said every eligible citizen must have the right to vote. There was no such reservation in his address to Congress. Instead, he said that the bill which he will send up Wednesday will establish "a simple uniform standard which cannot be used however ingenious the effort to flout our Constitution." And it will authorize the use of Federal registrars "if State officials refuse to cooperate." Louisiana's Senator ELLENDER says that he will filibuster if need be to prevent the Federal Government from fixing voting qualifications in the States. This is not a reasonable attitude, since it is clear that some federally established qualifications will be necessary if qualified Negroes are to be assured of the right to vote. For our part, we prefer to reserve judgment until what the President calls a "simple uniform standard" becomes available for scrutiny.

One reason for this is the presentation of fiction as fact in some parts of his address. For instance, referring to the undeniable efforts in some areas of the South to keep Negroes from voting, Mr. Johnson said: "The fact is that the only way to pass these barriers is to show a white skin." The fact is that this is not a fact—at least as far as Alabama is concerned. Assuming that Governor Wallace told the truth on Sunday, and we have seen no denial of what he said, there are some 115,000 Negroes registered and eligible to vote in his State. This represents more than 20 percent of all the votes cast in Alabama in the 1960 presidential election. So we want to see what kind of voting standard the President has in mind. Certainly a white skin, of itself, should not qualify a man to vote. But the same thing goes for a black skin. The true test is whether an individual, white or black, is qualified. The test should be relatively simple and given without discrimination. But the ability to walk through the curtains into the voting booth is not enough. It does not seem to us too much to ask that all voters should pass a reasonable, modest literacy test.

Taken as a whole, however, this was a very persuasive address. Most of the facts of the past 100 years are on the President's side. And he said one thing to his southern audience which appealed to us as being heavily freighted with truth: "Those who ask you to hold onto the past do so at the cost of denying you your future."

Now, Mr. Speaker, let us look at some facts concerning voter registration in Alabama. Facts that contradict the broad, general, but fine sounding state-

ments read by the President in this Chamber Monday evening.

The facts I present are the result of painstaking investigation going back as far as 1949. I refer you to the records of the State sovereignty commission of Alabama and commend in particular Martha Witt Smith, registrar consultant for the commission who has served on the Madison County Board of Registrars since 1949 and, in addition, on her own time and at her own expense has painstakingly investigated many of the charges and the facts throughout the State of Alabama.

The whole purpose, Mr. Speaker, of the demonstrations and riots and the purpose of the President's bill is to abolish literacy as a legitimate requirement for voting.

What are the facts concerning the President's charge that the only way to gain the right to vote in the South is to show a white skin?

Statistics bear out that practically every Negro called up for the draft in Alabama fails to pass the mental test if he has not gone higher than the eighth grade. There are only 120,952 Negroes in Alabama who have gone higher than the eighth grade of the 25-year-old and older group for which grade levels are given in the U.S. census. Alabama now has a total of 115,000 Negroes registered. This would leave only 6,000 unaccounted for and there are known to be more than that disqualified from voting for conviction of crime, a disqualification which States may have, as clearly set forth in the U.S. Constitution.

However, rejection rates for registration are not as high as for the draft in Alabama among Negroes, even though the draft deals with only young men mostly 25 and under, whereas voter registration deals with the older group also.

Many of the eighth grade level and below, including persons with only fifth grade education are passing the current literarcy and citizenship tests. There are only about 200,000 Negroes of voting age who have gone higher than the sixth grade. It is a conservative estimate that 20,000 of these are disqualified by convictions and that half of those of seventh and eighth grade level cannot pass any form of literacy tests due to sociological problems and simply losing their knowledge between leaving school and reaching voting age. This would mean then that the State has 115,000 out of a real potential of 140,000 registered. This is a registered rate of 82 percent against the Justice Department's contention of less than 20 percent, because the Department counts as eligible even those Negroes who cannot so much as write their names.

Under court order the literacy test upon which these figures are based has been made even simpler, its sole purpose now being to ascertain if the applicant has the simple ability to read and write.

These are facts, and I present them here with the challenge to those who are taking part in the lynching of my State to refute them with facts. It is not enough for the President of the United States to stand before a nationwide television and radio audience and make broad charges. He should present the true facts of registration of Negroes in Alabama, and with the same fervor and sense of righteousness with which he castigates our people and our legally elected State officials.

It is not enough that leading clergymen march in Selma and urge the defiance of law and order and disobedience to Federal court orders. If they believe in justice, if they sincerely desire to know the truth and to impart the truth to the members of their congregations and to the American people, they should refute these facts or admit they have been wrong in their condemnation of the people of Alabama.

Mr. Speaker, I want every qualified citizen of Alabama to vote and I want every qualified citizen of New York and New Jersey and Michigan and California to vote. If a new law is necessary to prevent discrimination in application of literacy tests, I am for it, and I will support it. But I will not help destroy the Constitution of the United States with its basic guarantee of freedom for all the people, white and black. I will not be a party to destroying the sovereignty of the 50 States and place in the hands of an all-powerful Federal Government the power to say who shall vote, or to control all the other facets of State responsibility and individual liberty which passage of the President's bill will insure.

We will present an alternative to the President's proposal. An alternative which will guarantee protection of the right of every qualified citizen to vote, but will also protect the rights of the States to determine voter qualifications as guaranteed by the Constitution.

Mr. Speaker, I say it is time Congress assumed its responsibility for legislating. We should pass whatever legislation is needed in the field of voting rights with calmness and in the atmosphere of reasonable debate. We dare not allow the President to dictate to us or to become victims of his emotional appeal in an emotion-packed moment of history.

This is a time when we who have been entrusted with this high office must rise to the challenge of statesmanship and vote our honest convictions regardless of what political price we may have to pay. It is more important to save America and to preserve the Constitution than that any member sitting here be returned to office in the next election. It is more important that our two political parties and the President care for the individual citizen as a human being not merely for his vote than to insure the reelection of a particular administration.

Mr. Speaker, I would like to include as a part of these remarks excerpts from the report referred to earlier based upon investigations of the Alabama Sovereignty Commission and Martha Witt Smith:

VOTER REGISTRATION SITUATION IN ALABAMA

The campaign of Martin Luther King in Alabama is not in any way a right-to-vote drive, but is purely and simply an anti-literacy campaign being waged simultaneously with efforts of the U.S. Department of Justice to abolish literacy as a requirement in Alabama through the Federal courts. King announced that he would see to it that literacy was abolished for voting at almost the same time that the Department filed suit against Alabama.

His campaign is being waged, not with the songs and prayers about which you read and hear, but with bricks, broken bottles, riots, and threats against the personal safety of members of Boards of Registrars. (See: Parry County—Facts and Distortions.)

Actions of King and the Justice Department are both in and of themselves admissions and proof that the Negro is not being denied the right to vote in Alabama, such so-called "right" existing only for those who are eligible and qualified. They are admitting, in essence, what Alabama has contended: That most of the qualified Negroes in Alabama are already registered to vote. King has found that Negroes are not being registered because they cannot read and write enough to be able to read their ballots if they were registered—hence his demand to abolish literacy for voting. The Justice Department has found that the "thousands of eligible Negroes being denied the right to vote" which it claimed before congressional committees in January 1964, do not in fact actually exist and the only way they can make a political showing in Alabama is to somehow force the registration of illiterate Negroes by throwing out the valid constitutional provisions of the Alabama constitution.

Burke Marshall, then head of the Civil Rights Division of the Department of Justice, declared before a House subcommittee in January 1964, that in 37 counties of Alabama "thousands of eligible Negroes are being denied the right to vote." At that time, eight of these counties were operating under Federal court orders to register qualified Negroes, and complaints had been filed against three others. Since that time, however, in all of these remaining counties the Justice Department has filed not one complaint, in spite of the fact that it has photostated records in all but four of these counties and has been copying records in some of them since 1961 without, apparently, finding any evidence to back up the accusation made against these counties. The accusations were made before the Subcommittee of the Committee on Appropriations, House of Representatives, January 28, 1964. (See pp. 134, 135, 136 and 137, also listing of 37 counties in article by Associated Press, released April 22, 1964. Attachment shows counties and additional data.)

That a requirement of literacy is a legitimate one for voting has long been upheld by the Federal courts. It required a constitutional amendment to remove poll tax as a prerequisite for voting in certain races. Certainly abolition of literacy as a requirement for voting in Alabama and in other States cannot be done by any other method. Should Congress with the support of the courts succeed in so doing by a simple act of Congress, then is there any bar to Congress abolishing primaries in favor of nomination by some national party group of those who would be candidates for Governor, legislators, judges and even sheriffs? In fact, is there any bar to Congress abolishing elections altogether—thus sounding the death knell of democracy itself?

Those who would abolish literacy as a requirement for voting attempt to use as their propaganda various contentions that the requirement is used in a discriminatory manner in the South. The Justice Department itself has apparently been unable to find any evidence of this in any but 11 of the 67 counties in Alabama and has not yet proven it in two of these. Furthermore, since the present boards were appointed as registrars in October 1963, it has not accused a single one of these of any discriminatory practices of any kind. All court action since then has been based on happenings before

the present boards were appointed. In addition, the Justice Department has not found—or it certainly would have used it—any discriminatory use of the new voter registration tests put into use in February 1964, more than a year ago. Even the State suit now filed does not charge any discriminatory use of these tests as between white and colored applicants.

The truth appears to be that Alabama has now come up with an application form and test which meets the requirements of the courts and the Civil Rights Act and which will stand up under judicial review, providing ample evidence for registrars that they have applied tests without discrimination. A detailed study of the forms will show that they were devised to eliminate every objection of the courts and most of the objections of the Justice Department to the old forms used from 1952 to 1964. The only other change was made after passage of the 1964 Civil Rights Act and was made to meet the requirement that all literacy tests be "wholly in writing." The Justice Department should report forthwith exactly what changes in literacy tests have been made in the other States of the Nation in order to comply with the Civil Rights Act—or have they been changed to do so?

The Civil Rights Act of 1964 did make the requirement that all literacy tests be "wholly in writing." However, after Alabama changed its form, the Justice Department immediately started filing complaints against the new form on the grounds that this same act forbids any State to change any testing methods. An attorney for the Department stated in a Federal court hearing December 3, 1964, in Birmingham, Ala., that it was "the intent of Congress" for the 1964 Civil Rights Act to prevent any State from changing any voter registration test or procedure—yet that same act required changes.

Furthermore, the Justice Department has gone to even greater extents in broadening the interpretation of the Civil Rights Act. It now contends in the statewide Alabama suit that no State can have a literacy test higher in level than that of normal sixth-grade level, whatever that may be. Further, it is contended that the provisions of the act apply to any State and are in force without any proving of discrimination as contemplated by section 1971, United States Code, which the act purports to amend. So, what about a State's requirement that a person must have finished the 12th grade in order to vote?

Statistics bear out Alabama's contention of nondiscriminatory application of literacy provisions of voting laws. Practically every Negro called up for the draft fails to pass the mental test if he has not gone higher than the eighth grade. There are only 120,952 Negroes in Alabama who have gone higher than the eighth grade of the 25-year-old and older group for which grade levels are given in the U.S. census. Alabama now has a total of 115,000 Negroes registered. This would leave only 6,000 unaccounted for and there are known to be more than that disqualified from voting for conviction of crime, a disqualification which States may have, as clearly set out in the U.S. Constitution.

However, rejection rates for registration are not as high as for the draft in Alabama among Negroes, even though the draft deals with only young men mostly 25 and under whereas voter registration deals with the older group, also. Many of eighth-grade level and below, including persons with only fifth-grade education are passing the current literacy and citizenship tests. There are only about 200,000 Negroes of voting age who have gone higher than the sixth grade. It is a conservative estimate that 20,000 of these are disqualified by convictions and that half of those of seventh- and eighth-grade level cannot pass any form of literacy test due to sociological promotions and simply losing their knowledge between leaving school and reaching voting age. This would mean then that the State has 115,000 out of a real potential of 140,000 registered. This is a registered rate of 82 percent against the Justice Department's contention of less than 20 percent, because the Department counts as "eligible" even those Negroes who cannot so much as write their names.

Alabama, as a State, has done more from 1952 to the present to make changes which serve the interests of the registration of qualified Negroes than any other State could have done. However, its legislature, its courts, and its executives are now caught in a choking web of confusion brought about by contradictory provisions of the 1964 and other Civil Rights Acts, by the contradictory actions of the Department of Justice, by contradictory rulings of district judges and the Fifth Circuit Court of Appeals—so that it now finds that the accumulated results of all of its efforts to work out a registration system that will lend itself to judicial review, will meet the requirements of the courts and the Civil Rights Act, and provide needed evidence for its registrars are not only not accepted by the Department of Justice but are being attacked on all sides by this arm of the Federal Government which has repeatedly told the Congress that its goal in the South is to see that qualified Negroes are registered, but which now openly admits that these have been registered and the only way to get any more Negro voters is to abolish the literacy test in Alabama.

Not only is the picture of the activities of the so-called right-to-vote marchers in Alabama distorted, but national news media reports about the current Alabama voter tests are deserving of nothing but the name of downright lies. Examples of statements about the tests and events in Alabama which can be easily proven untrue appear in recent issues of Time and Newsweek, and in dispatches from UPI and a presentation on the "Today" show.

In conclusion: Alabama has met the challenge of working out a registration system and tests which are fair, reasonable, nondiscriminatory, related to needed information for voting, and which are adequate and proper to provide material or full judicial review. Proof of this is the demand of Martin Luther King that the President support efforts to abolish literacy for voting in Alabama and that the Justice Department suit in Alabama echoes his cry—while the propaganda machines grind out false impressions by calling the whole illegal and riotous assault by the false name of a "right-to-vote" campaign.

For Congress to even consider a bill which would usurp the clear constitutional rights of a State to set its requirements for voting would undermine the very foundation of the democratic system which put its Members in the seats they occupy today—the vote itself.

DOAR WOULD OUST ALL OFFICEHOLDERS IN ALABAMA

From comments at arguments, Monday, March 8, 1965, on motion by State of Alabama to dismiss case brought against State of Alabama and secretary of state to prevent any use of literacy tests in Alabama.

Asked by a member of the three-judge panel if he felt that reregistration of voters in Alabama offered any solution to the Alabama case, Doar replied that he did not. He went on to say, in legal terms, but in substance and certainly in meaning as follows:

No reregistration would be acceptable to the Justice Department because the laws and tests would be devised by public officials who have been put into office under the discriminatory system.

He further implied that no new law passed in Alabama on the registration system would be acceptable for the same reason.

He, in effect, brought out that the only way the Justice Department would cease action in Alabama would be to remove all present elected officeholders, hold new federally supervised elections with all Negroes voting, and put new persons in office all the way around. One of the judges commented that this would amount to putting all elected Alabama public officials out of business.

HISTORY OF CHANGES IN VOTER REGISTRATION IN ALABAMA

First. Changes have favored Negro registration.

Second. Changes have come before similar Federal action.

1. In 1946 the legislature provided 2 extra registration days per month for all counties at a time when Negro interest was increasing in voting, especially among servicemen returning home.

2. Many local boards from 1950 to date have had special legislation increasing meeting days and providing clerical help in the larger counties. Such action has been on local initiative and not under any Federal court orders or threats of such court orders.

3. In 1951 the property alternative as a means of qualifying was removed. To the sociologists, at least, the alternative was one which worked in favor of whites and against Negroes who as a group owned less property.

4. In 1951 the requirement that a person must have been gainfully employed the greater part of the past year prior to registration was removed. This requirement was considered to be one which worked more in favor of whites than of Negroes.

5. In 1953, the cumulative feature of poll tax (the requirement to pay $1.50 for each year from 21 through 44 regardless of age at the time of registration) was removed. It was just as much a bar to white women registering, but the whole Nation was screaming about it being a bar only to Negroes.

6. January 1964, the Alabama Supreme Court ordered boards to use literacy and citizenship tests for all applicants regardless of a registrar's personal knowledge as to the literacy of the individual applicant and prescribed uniform tests and procedures for all. (Congress did not do this until July 1964.)

7. January 1964, Alabama Supreme Court ordered forms requiring a record be kept of all tests so as to permit judicial review. (Congress did not do this until July 1964.)

8. February 1964, registrars received new forms and tests and discontinued use of the "onerous" 1952 application form (so termed numerous times by the Department of Justice and Federal courts). Tests were changed monthly, and each test included four questions on government (replacing six such questions in the 1952 form), four excerpts from the U.S. Constitution, one of which was to be read aloud by the applicant and a place for the applicant to write from dictation. A score of 75 was required on the government questions.

9. September 1964, registrars began using revised forms ordered by the Alabama Supreme Court in August, to bring the literacy tests within the requirements of the 1964 Civil Rights Act requiring that they be "wholly in writing." The same form as the January-ordered tests was followed, except that in place of reading aloud, the applicant was instructed to answer four questions, the answers to which were in the four excerpts from the U.S. Constitution located directly above the questions, which excerpts he was instructed to read (not aloud) before answering these four "reading" questions.

(NOTE.—It is these four questions, the answers to which can be obtained simply by reading the excerpts, which have been presented to the public of the Nation as questions which the applicant is expected to answer from his own knowledge of the Con-

stitution, when they are simply reading questions.)

The writing test was not changed except that the registrars were instructed to dictate to the applicant only one of the excerpts appearing on the test sheet. Thus, the writing performance of the applicant is recorded, and the section dictated to him is made a matter of record.

(NOTE.—The writing test has been attacked by the Justice Department which contends that it is "oral" because of the dictation, and further contends that the applicant should be allowed to copy the section, not write it from dictation.)

Instead of the form being changed each month, a total of 100 different tests were composed, each with four Government questions, four excerpts from the U.S. Constitution, and four reading questions, the answers to which could be found in the excerpts. The Supreme Court order provided that each applicant select his own test of the 100 by opening at random a notebook, which must contain 1 of each of the 100 tests at all times. The general idea of multiple tests, selected by lot, was suggested by a district Federal judge in a Mississippi voter registration case.

(NOTE.—Alabama had to go to some form of multiple testing or stand by and permit the Department of Justice to make a sheer mockery of its literacy testing. The Department in July 1964, subpenaed into court in Montgomery not only all monthly tests which had been used by the State, but all tests which the State planned to use in the months ahead and by various actions made them available to the public and practically useless as any real tests. Alabama devised the revised tests knowing that the Department would get the tests and would put them on records in a manner to make them available to the public. This has been done and copies of them have been spread not only all over Alabama but all over the Nation as is now a matter of public knowledge due to printing of the questions in newspapers and use of them on television. In addition, the Department has now obtained by a court order a book of answers which an individual board member made up for himself as a guide in grading the tests, although the registrar protested that the answers listed were not necessarily all the acceptable ones nor were they necessarily up to date in every instance, and that they were his notes for his own guidance and not to be considered final and conclusive in any way. Thus, Alabama was correct in devising tests with the assumption that the Department of Justice would make them and any answers they could find available to the public. Any judgment of difficulty of the tests in relation to sixth grade or any other level should be gaged in relation to whether or not such a person can study the tests and the answers and learn the material with this help—not merely whether he could pass such a test having never seen it previously.)

10. Heavy Negro registration from 1946 through 1952 and again from 1954 through 1956 resulted in most of the actually qualified and eligible Negroes being registered before passage of the 1957 Civil Rights Act. However, due to their repeated claims when seeking civil rights legislation that "thousands of eligible Negroes are being denied the right to vote," the Department of Justice must now somehow get those "thousands" on the rolls even if they know that the only way it can be done in Alabama is to register the illiterates.

Mr. WILLIAMS. Mr. Speaker, will the gentleman yield?

Mr. GEORGE W. ANDREWS. I yield to the gentleman from Mississippi.

Mr. WILLIAMS. Mr. Speaker, I want to compliment my distinguished colleague from the State of Alabama [Mr. GEORGE W. ANDREWS] for initiating this discussion this afternoon.

Mr. Speaker, because of the manner in which the national press, radio, and television have so pointedly distorted and deliberately slanted the news stories coming out of the State of Alabama—and I might add previously from the State of Mississippi—it appears that about the only way we can ever get the truth across to the people is through the pages of the CONGRESSIONAL RECORD.

Mr. Speaker, I am very happy that the gentleman from Alabama [Mr. SELDEN] pointed up the double standard applied by most of the national news disseminating media with respect to news coming out of the South and news coming out of the North. It points up the fact that last week there was a race riot in the city of Detroit, Mich., admittedly a race riot by the local police and the local citizens, news of which was sent out over the wire services as a race riot. The riot resulted in the stabbing of nine white youngsters and one young Negro girl being injured by flying debris.

Mr. Speaker, one of the white youngsters who was stabbed is presently, I understand, in a hospital in Detroit lying at death's door. Although the wire services carried the report of that riot as far as Mississippi—I read it in the Mississippi newspapers—the morning after this occurred, there was not one word in the Washington Post or the Evening Star about this riot which almost cost the lives of nine youngsters out in Detroit. Notwithstanding, they devoted column after column after column to distorted stories and prejudicial reports on Selma, Ala. Mr. Speaker, I have seen these invaders. They have been in my State. A great number are bearded beatniks. They deliberately dress eccentrically, and most of them look as if they have not had a bath in months. They come in with a holier-than-thou attitude and insult our people, hoping to create some kind of incident that will arouse emotions over the country, and which can be exploited to collect Yankee dollars from well-meaning but misinformed northern people.

Mr. GEORGE W. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Alabama.

Mr. GEORGE W. ANDREWS. Did the gentleman notice in the Washington Post this morning an ad run by Martin Luther King and his organization calling for subscriptions to carry on the fight?

Mr. WILLIAMS. I am sorry I did not see it, but I am not surprised. These outfits are well-heeled with money, as the gentleman knows.

Mr. GEORGE W. ANDREWS. The ad said they were running short, and they were calling for public subscriptions. My information is he left California last week with $38,000 in cash.

Mr. WILLIAMS. I may say, and this is an opinion, but a considered opinion on my part: not only would I endorse Mr. J. Edgar Hoover's characterization of Martin Luther King as the "most notorious liar in America," but I would add that I consider him the most notorious gangster of our generation. Everywhere this man goes, trouble and violence follow, always accompanied by the sound of dollars dropping into his till as "contributions" to his "work." In my opinion, in view that practically everyone in a position of power has of the fact bowed down to him and has acceded to his demands, I think he is also the most dangerous individual in America.

Mr. Speaker, I have seen these people come into our State for the purpose of creating trouble. They came in with a holier-than-thou attitude and they deliberately flouted the customs of our area in front of our people.

I deplore the fact that violence has occurred in Alabama, that one of these invading ministers, who went to Alabama with a martyr complex for the purpose of finding trouble, found the trouble he was looking for. I am sorry indeed that the three agitators who went to the State of Mississippi last spring for the purpose of insulting the people of Mississippi met their death at the hands of persons unknown. We deplore these acts of violence, of course. But instead of condemning the entire State of Mississippi and the entire State of Alabama, I think they are entitled to the highest compliment we can possibly pay to a great people in the remarkable restraint they exercised, so that more of these troublemakers did not encounter the same fate. As a matter of fact—and I am surprised, pleasantly so and happily so—that instead of three people being killed, there were not a hundred or more killed in the State of Mississippi in last summer's invasion of my State. Indeed, had the situation been reversed and had demonstrators from the State of Mississippi gone to Harlem to demonstrate for racial separation or States rights, I dare say none of them would have returned to Mississippi alive.

Mr. Speaker, this man Martin Luther King is a dangerous individual. I have information on good authority that the Department of Justice knows that he is a dangerous individual. Yet the Justice Department through the Attorney General has told me personally and in no uncertain terms that the file which the Justice Department has on Martin Luther King, his Communist affiliations, associations and activities will not be made available to a Member of Congress on request. I ask you—why? Is it possible that Martin Luther King is now so politically powerful as to be immune from public exposure? Is it possible there is something in those files that might embarrass some in high positions whose necks have been stuck out so far in coddling King and his fellow agitators? Some day, perhaps, the truth of King and his activities may be known. But it seems that for now, it just is not good politics for some of our people in high positions.

Mr. GEORGE W. ANDREWS. Mr. Speaker, I yield to the gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. Mr. Speaker, I rise to raise a question which I feel cries out to be answered. A question relevant and pertinent to the recent and present turbulence in my home State—that proud, and now battered, State of Alabama.

Mr. Speaker, we have had a series of incidents in Alabama: Selma, Marion, my hometown of Montgomery, today in Birmingham. And throughout the whole fabric of this big picture there is one recurring and persistent fact about which the American people should be told. I refer, Mr. Speaker, to the deliberate misrepresentation of facts by certain of the news media, and that there is now and has been a recurring and persistent and deliberate misrepresentation of fact as well as a calculated effort on the part of some of our news media to slant and color the news—and this is very demonstrable to any fairminded person.

Do I exaggerate, Mr. Speaker? Let me give you just a few proven facts which I dare say not one person in the House outside of my proud State knows.

In every newspaper account which I have read and on radio and television we have heard the repeated charge that clubs and whips were used on the demonstrators in Slema as they attempted to march on Sunday the 7th of March. I am sure that no one in this House has failed to hear or see this charge and I am sure that most, if not all, believe that the demonstrators were whipped as if they were animals with bullwhips. The fact is, Mr. Speaker, that there were no whips—none used or even in existence and this was purely a lie and a fabrication by some reporters representing some of the news media. I have checked this fact with the Governor, with the local law enforcement officials there, and through other sources. The FBI was there and can substantiate my statement. No whips were there and no whips were used. But in every account of that Sunday in Selma you read of "whips and clubs." The so-called clubs, Mr. Speaker, were regulation night sticks—the same as are carried by the District of Columbia police in patroling the Capitol Grounds.

The people of America have been given the idea that the Negroes in Alabama have universally been denied the right to register and vote, and that whatever court actions have been tried are inadequate because they still do not allow Negroes to vote. The truth is, Mr. Speaker, that the Negroes are registering to vote peacefully throughout the State, and that demonstrations in Selma and Marion County, Montgomery, and other places are in fact hampering and impeding registration of Negro voters, and in one instance, in particular, in Marion County, the orderly processing and registering of Negro voters which has been going on all day, was interrupted by "King" Martin Luther, and such a disorder was caused—really a near riot—that it was necessary for the police to rescue the registrars from the courtroom in which they had been working.

In February, "King" Martin Luther tried to stir up a voter march in Montgomery and could not raise a crowd. Montgomery citizens—white and Negro—have been registering with no trouble. Over 300 registered in 1 day last week. In Montgomery they have and do register as many as present themselves—still they demonstrated and rioted. The demonstrations now in progress, and previously in progress, in Alabama have been promoted as much by the Communists as by any other one faction. It is an established fact that Martin Luther King's lieutenants have belonged to Communist front organizations, and that they are not nearly so interested in the United States as they are in the Kremlin. J. Edgar Hoover has testified before the House Appropriations Committee that Communists are infiltrating the civil rights movement and seeking to exploit its leaders, according to the Communists' own paper, the Worker.

Everything that has happened in Alabama, including the violence, bloodshed, and even the possible death of one or more persons, was a coldblooded and calculated plan by Martin Luther King and his coconspirators and was carefully outlined in writing several months prior to the trouble in Selma, and I have a copy of that plan. I offered to make this available to a reporter of wide reputation but he did not care to use it.

Another typical example of distortion and misleading newspaper reporting appeared in yesterday's Washington Star and we see the headline reads: "Montgomery Deputies Ride Into 150 Negroes." We find buried deep into the article, however, that an emergency ambulance was delayed by the melee. The fact is that the road was blocked for 30 minutes and the ambulance, on an emergency run, was caught up in a mob of rioters and the mounted policemen were necessary in order to extricate the ambulance and to clear the heavily traveled road.

Today's Washington papers, the Post and the Star, show pictures of mounted officers in Montgomery in the midst of a mob. The Star's headline reads: "King Protests Mounted Assault—Demonstrators Count Eight Injured in Montgomery—Brutality Charged to Sheriff's Men."

What the paper did not say was that this was a rioting mob of knife-wielding beatniks, for the most part—that rocks, bottles and bricks were thrown at the mounted officers before any contact was made by the officers—that the sheriff was cut—that he was hit and injured by two flying objects, probably rocks—and that eight of the horses were badly cut by these knife-wielding nonviolent demonstrators.

I have the sheriff's statement of the events of yesterday, Mr. Speaker, which I hereby insert into the RECORD as an extension of my remarks. Mr. Speaker, these facts are just a part of the whole which I cannot develop here due to lack of time. For this reason I have asked for a special order for 1 hour tomorrow following the day's business to present to the House some heretofore unknown facts which I am sure they will find shocking because they have been suppressed. I will also tell you why they are being suppressed. And I invite every Member who is interested in the untold side of the recent disturbances in Alabama to be present.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

STATEMENT OF SHERIFF BUTLER, MONTGOMERY COUNTY, ALA.

When it was first rumored that demonstrations would be held in Montgomery, Ala., I, as elected sheriff of Montgomery County, was requested to have available the mounted officers who had been used in the past very successfully here and elsewhere in dispersing crowds without anyone being hurt. This was for the purpose of protecting the demonstrators as much as dispersing anyone who got out of hand.

On Tuesday, March 16, I was requested by the Montgomery police department to have the mounted officers available in the vicinity of Decatur Street and Adams Avenue where a demonstration was taking place. I brought the horses to this point and stopped them. We stopped the horses across the street from where the demonstrators were and waited for the solicitor of Montgomery County whom I had seen standing over talking to the heads of the police department. The solicitor came over to us and asked us to retain the demonstrators on the east side of the street and disperse those standing on the west side of the street. Feeling that he was acting with authority from the group the mounted officers moved at my command to carry out this request. As we moved in bricks and other objects started flying. Some object hit me on the back of the head but where it came from I do not know. As I dismounted to undertake to move them back on foot one of the demonstrators who to the best of my opinion was not a Negro but an oriental, struck at me with some sharp instrument to the extent of cutting through my clothing. To my knowledge several officers were struck by flying objects. I also received an injury to my left hand due to trying to keep some flying object out of my face. Eight of our horses were injured, one being cut rather badly. I do not feel that any more force was used than was necessary.

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. JONES] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, it is with a heavy heart that I rise today on the floor of this House to comment on the series of harsh racial incidents which are besetting my home State of Alabama.

It is particularly difficult for me to comment thus because the manifestations of violence, brutal dissension, and hatred which we are witnessing in Alabama today have been, in the past, utterly alien to my State.

Mr. Speaker, the people of Alabama, white and colored, are not the kind of people we have been reading about in our newspapers in recent weeks. They are basically kind and reasonable people who abhor strife and physical violence. They believe in the rule of law and in the social compact.

But today in Alabama there is ugliness and cursing and bloodshed. The flames of hatred burn brightly. There is intemperance and there are hard hearts.

The white people of Alabama, Mr. Speaker, opposed the Civil Rights Act of 1964 as I did. This act wrenched them, rocked the very foundations of their society and way of life. Subsequently,

however, the great majority of the white people of Alabama braced themselves and accepted the realities of this act which to them was revolutionary and uncalled for. These people determined to continue to live by the law.

All my fellow Alabamians asked for was time, time to adjust, time to accept change.

The way of life, the values, of millions of people cannot be swiftly modified and altered overnight.

But, unfortunately, orderly change in Alabama was not acceptable to the professional adherents of civil rights. The strident call has been for speed and more speed. Even State and local laws and regulations must be breached if necessary.

So my fellow citizens in Alabama have been subjected to unlawful displays organized and led, for the most part, by self-appointed professional prophets from outside the State. The process of orderly change has been rudely spurned.

These so-called civil rights leaders, Mr. Speaker, have inflamed their followers who, left alone, would have accepted a peaceful transition, in fact, would have preferred a peaceful transition.

We are now seeing the results in Alabama of this relentless pressure, these incessant demands for immediate change, these outrageous transgressions of State and community law.

I repeat, Mr. Speaker, all the white people of Alabama have asked for is a little time.

And the great pity of it all, Mr. Speaker, is that the terrible events need not have taken place. Unreason has carried the day.

Mr. Speaker, despite the repetition of civil disturbances in Alabama, I still have hope that reason and prudence can bring a common understanding and a restoration of tranquillity.

The spirit of excess must be discarded. I am hopeful that men of good will on both sides in the bitter controversy will call for calmness and cooperation. This is the only answer because excess begets excess and violence begets violence and the ultimate fruit is chaos.

The path of provocation and unlawful acts leads to anarchy. The path of reason and temperance leads to peace.

Which path in Alabama? Mr. Speaker, there is but one choice and, if left alone, I know the people of Alabama will make the right choice.

Mr. ANDREWS of Alabama. Mr. Speaker, I yield to the gentleman from Alabama [Mr. BUCHANAN].

Mr. BUCHANAN. I thank my distinguished colleague.

Mr. Speaker, because our time is running short, I shall on a later day request permission to speak again so that I might fully develop my own interpretation of the events in Selma, Ala., and in Washington, D.C., concerning civil rights and voting rights.

Mr. Speaker, like almost all the people of Alabama that I know, I believe in protecting the civil rights of all our people and I believe that every qualified citizen of our State and of other States ought, in fact, to be registered and ought, in fact, have the privilege of voting in all elections.

This is not the issue in Alabama at this time. As a matter of fact, our State has over a period of time taken a series of steps which I will later outline to facilitate voting procedures in Alabama and to make sure that qualified voters are, in fact, permitted to vote.

Since recent court rulings in Dallas County this action has been increased. In addition, as I have pointed out before on the floor of this House, there will be proposed in the next regular session of the Alabama Legislature a bill that would facilitate the registration of voters in my own and other counties.

We believe in civil rights, Mr. Speaker, but I want to ask if the people of Selma, Ala., have no civil rights? Are Dr. Martin Luther King and his cohorts the only people in our State who have rights? Do the people of Selma, Ala., have the basic right of living in peace in their own city or to conduct their normal business and to conduct the normal business of their government in the city hall and in their county courthouse? Do they have the right to go about the business of exercising their normal freedoms as Americans or are they all to be denied their civil rights by demonstrators from outside our State who leave their own homes and the many problems they have there—in many cases like problems—to flood into Selma and into Alabama to try to solve for us problems that we are, in fact, ourselves solving and which they, in fact, cannot solve.

Mr. Speaker, we believe in law and order in Alabama. The Governor of the sovereign State of Alabama is not immune from the law nor does he seek such immunity. The public officials of Alabama are not immune from the law nor do they seek immunity. The citizens of Alabama are not immune from the law—local, State, or Federal—nor do they seek immunity.

But, Mr. Speaker, there is within our State a group of people who do seek and claim to themselves immunity from all law—local, State, and Federal—who have led our young people to violate State laws concerning school attendance, city ordinances concerning parades, a circuit court injunction against demonstrations at the courthouse, the Federal court injunction against interfering with registration lines. And they have led these young people in Selma, Ala., to violate such law and to show contempt against the authority of local, State, and Federal officials.

The outside agitators and professional organizers presently leading the demonstrations in our State claim for themselves and those they lead immunity from all law and the privilege of defying all authority including that of the President of the United States.

It seems to me one very important question this Congress faces is whether we shall have a double standard in the application of law in this country, whether there shall be one group of people declared to be immune from law, with all the rest of us, naturally, as good citizens, required to obey Federal, State, and local law, as we in Alabama intend to do and shall do and are doing.

Mr. Speaker, if it would seem that I speak too generally, let me give a few specific instances.

From the Birmingham News of March 9, a quote from James Bevel, a Negro leader. He shouted, before the march began:

> Judge Johnson doesn't understand that an injunction doesn't mean anything.

From the same paper, March 9, a quote from John Lewis, leader of the Student Nonviolent Coordinating Committee:

> Ban or no ban, I think all of us must march.

A quote from the same paper, of the same day, from James Foreman, head of the Student Nonviolent Coordinating Committee:

> Injunctions have been handed down in the past. The people have to make up their own minds what to do.

From the Birmingham Post-Herald of March 10, when Martin Luther King was asked about his defiance of the court order. King said:

> We had a decision to make in this particular case. Possibly I can be held in contempt, and others, too. The judge's order was an unjust injunction.

From the same paper of the same day, another quote from King, when confronted with the order at the bridge. He is purported to have said:

> We are aware of this order.

But he added:

> As a matter of conscience, the march will continue.

Mr. Speaker, this man is claiming for himself immunity from all law—Federal, State, and local. He is claiming it is good and right to lead young people in defiance of all authority and in disobedience to law at every level. I say that no man is bigger than the law in this country, and no man can be.

The people of Alabama have been libeled. The people of Alabama are misunderstood. But I assure you, Mr. Speaker, that the people of my State are law-abiding people, and when the tumult and the shouting have died, they will have to live with each other and work out their problems themselves. This we can and will do.

The finest law this Congress could pass for the civil rights of all people of our State would be to pass a Federal law making it illegal for Dr. Martin Luther King and all his kind to stage any further unlawful demonstrations in Alabama. Whenever the proponents of civil disobedience cease and desist from leading our young people in the pathway of lawlessness, the private citizens and public officials of Alabama can return to the pathway of peace and resume our quest for the full blessings of liberty under law for all our people.

Mr. GEORGE W. ANDREWS. Mr. Speaker, I yield to the gentleman from Alabama [Mr. GLENN ANDREWS].

Mr. GLENN ANDREWS. Mr. Speaker, now that a white heat has been developed all over the Nation involving the

so-called ingenuity in the past of crafty registrars to discriminate in the matter of voting rights, and every possible pocket of public opinion has held up its hand and said, "Yes, we are ready to do away with discrimination in voting rights," I sincerely hope that the President's bill will hurry along and be voted through—provided that the measure does what it is billed to do.

I should certainly be dreadfully disappointed and the Nation would be dreadfully disappointed and the joint session of Congress would be terribly disappointed if this measure of the President, to do away with discrimination once and for all in voting rights, were to be a measure instead to do away with literacy tests as qualifications for voting in my State or in New York, where a literacy test is so important. New York, the seat of liberalism in America today, you know, has a reasonable voting literacy qualification.

I should be terribly disappointed if the President's measure, instead of doing away with discrimination, did away with New York's literacy test. The Nation itself would indeed feel terribly disappointed if, instead of doing away with discrimination, the actual result of the President's voting measure should be for Congress to take over the function of setting voter qualifications, a power enjoyed by the States for years and guaranteed by Section 2 of Article I of the Constitution, guaranteed by the 10th amendment, and guaranteed by the 17th Amendment to the Constitution.

My State and my people have been abused and vilified with inhuman brutality in the process of developing this great white heat, this emotional fever out of which a just and reasonable legislation is to be born. I sincerely hope that the price my State has paid for this emotional pitch shall not be in vain and that the people of America will get in the President's bill what he has told the Nation he wishes.

I sincerely hope that the political manipulation of uneducated people is not the tragic result of this bill. I would not wish that Alabama ever gain a reputation in this respect like Cook County, Ill., because of this measure. I have come to this Congress and selected the Committee on Education and Labor as my preference of committee assignments. I am happy in this assignment. I am dedicated to the education of all my people. I deplore that the educational level of my State is comparatively low. I assure you that under measures being taken at the present time that will not be true for long. Herein lies the solution of most of our problems. I am confident that the President joins me in this great objective. I sincerely hope that the voting bill being sent to this body will not cynically take advantage of the illiterate people of the Nation and enable politicians to use them for their own political purposes.

Mr. GEORGE W. ANDREWS. Mr. Speaker, in conclusion, let me say that Alabama is inhabitated by law-abiding, peaceful citizens. There is less crime in Alabama in a year's time than there is in Washington, D.C., in 30 days' time. There are more rapes committed in Washington, I might say, within a week's time than in Alabama in a year's time.

Our Governor Wallace has done a good job in trying to maintain peace and order in our State. This week, about 20 of these so-called demonstrators, marchers, and so forth, went into the office of our beloved Speaker of the House and took over lock, stock, and barrel and sat down and refused to move or to let anyone work. According to the press, the patience of our Speaker was taxed almost to the breaking point in 20 minutes' time. Now, what do you think happens to decent, law-abiding citizens when their patience has been under stress and strain for 9 solid weeks? They talk about police brutality. I saw on TV those agitators who sat in the Speaker's office pulled down marble steps. Now, in my opinion, that is police brutality. I cannot think of any more serious pain, that a man can suffer, than to be pulled down a long flight of marble steps. I was told by someone who knew up here on the Hill that those people who were in the Speaker's office were professional agitators. I will say to you, Mr. Speaker, that most of those demonstrators in Selma and Montgomery and Birmingham are professionals of the highest type.

Now let me say to you in conclusion, Mr. Speaker and Members of the House, check again the record of Martin Luther King. Get his itinerary back over the last few years and get the newspapers and you will find that wherever he goes trouble follows. Mr. Speaker, I say that when the true Martin Luther King is known to the American people there are going to be some red faces in this Congress and some bowed heads in America.

THE WRONG WAY

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Louisiana [Mr. WAGGONNER] is recognized for 30 minutes.

Mr. WAGGONNER. Mr. Speaker, during the past few weeks, I have sat patiently in this Chamber while speaker after speaker has taken the floor to condemn the people of Selma, Ala., and, indeed, all southerners.

As there is with every subject, there are two sides to be heard—not in defense of much that has happened—but the presentation of certain facts which must be made known so that the full situation can be better understood.

I have listened politely to all that has gone before and I ask that I be shown the same courtesy so that reason might prevail. And we can all be reasonable men.

Mr. Speaker, as an aftermath to the demonstrations in the streets of Selma, Ala., in many other cities of the Nation, including this Capitol City, the White House, and the Capitol itself—and while the eye of the tornado passed over the Nation, two items of brilliant comment on the hysteria and hatred which have been heaped upon the people of the beleaguered city of Selma have come to my attention.

They are so direct in their logic, so clear in their representation of my views and so aptly cut to the heart of this much-clouded issue, that I would like to bring them to the attention of the Members.

The first is the editorial in the current issue of U.S. News & World Report, by David Lawrence, "The Wrong Way." It begins:

> There is a right way and a wrong way to try to achieve reform, whether it be in the realm of government or in the social life of our Nation.
>
> We pride ourselves on a belief in democracy—on the exercise of a rule of reason in our national life.
>
> We have rejected mobocracy as the manifestation of anger, of bitterness, and of unwillingness to let the rule of reason and the processes of law prevail.
>
> The American people have been witnessing in recent events in Alabama a failure to rely on the normal functioning of a democracy.
>
> Whatever the provocation, the fact is that passion and threats of physical force have never bred a spirit of confidence in any constitutional system.

Had he stopped right there and written no more, Mr. Lawrence would have put down on paper one of the unquestionable truths of this entire, sorry situation; a truth that men in high office, men of God and the supposed leaders of the so-called civil rights movement have either never known or have long since forgotten.

No matter what the cause, Mr. Speaker, no matter how noble the advocates may think it to be; no matter what the calling which inspires it; no matter how just and right it seems to be, it is not so noble, so just, or so right that our precious system of democracy can be trampled in the dust to achieve it. The end does not justify the means.

This administration and previous ones have condoned, encouraged, even financed the violation of established laws as being the "right" of anyone which any law displeases.

I was appalled to learn that Federal Government officials, apparently with the full support of the President if not, indeed, on his direct orders, had encouraged the Selma marchers; even to furnishing them suggested route maps and other advice.

This, mind you, is in willful violation of a Federal court order. Thus, we have, on the one hand, the judiciary of the land prohibiting the lawlessness of the demonstration and the executive, on the other hand, encouraging it.

What a travesty on the name of democracy. What a laughingstock we must be in the eyes of our friends and enemies alike all around the world.

The sit-ins at the White House and the Capitol and the lie-ins across Pennsylvania Avenue which the President deplored in his message night before last, should be deplored. But they are no different from the demonstrations which he and other members of his administration encouraged and abetted in hapless Selma, Ala., just days before.

In this very Chamber night before last, I heard these words:

> Free assembly does not carry with it the right to block public thoroughfares.

Yet, what applies in Washington, D.C., does not apply in Selma, Ala., because it was encouraged, condoned, and urged in that city.

I also heard these words in this Chamber night before last:

> We will guard against violence, knowing it strikes from our hands the very weapons with which we seek progress, obedience to law—

Yet, what applies in Washington, D.C., does not apply in Selma, Ala. The effort to guard against violence, to protect innocent bystanders, and to maintain law and order are weighed on a different scale when it happens in Alabama.

But, let not any man delude himself. Street demonstrations in which property and human life are threatened are the same thing when they happen in Selma, Ala., as when they happen on Pennsylvania Avenue in the Nation's Capital.

A sit-in which violates an established law, is the same thing if it happens in the halls of the Capitol or the White House as it is if it happens in a drugstore in Louisiana or Alabama. They are both violations of the law. And lawlessness has no place in the democratic system.

The time is long past due for the law to be respected and obeyed as long as it is the law. This applies to every man. It applies to the clergyman who travels across the Nation to take part in civil disobedience. It applies to any official of this or any other administration. It applies to every man no matter what the color of his skin. It applies because the fact is undeniable: Civil disobedience is lawlessness.

I am amazed that there are so many who take part in this form of lawlessness—and I refer particularly to the clergy—who, at the same time, are appalled at the rising crime rate and the lack of respect for the law which is rampant in the Nation.

These are the men the Nation needs to lead us in a moral renaissance built on a respect for the laws of God and man. Yet their leadership is toward civil disobedience and disrespect for the laws man has made to govern himself.

Yet they stand back amazed and aghast at the result of their ill-advised handiwork; they deplore the rising crime rate which their very activities have encouraged.

Our Constitution and the various laws of the several States provide for the orderly process by which any law which we as Americans make, we as Americans can unmake. That is the beauty, the pristine, glorious difference between this Nation and so many unfortunate others in the world. We can change our laws. But, if we are to remain a Republic, we must change our laws in the only way they can be rightly changed; by the legal means we, ourselves, have prescribed.

It cannot and must not be done at the whim of the mob, as the result of the blackjack, out of fear for violence, or to appease any political group, no matter how much their vote is coveted. And who can doubt that too many men have fallen prey to the passions these days have aroused.

We are, even now, a-hoist our own petard.

Because this administration and others which have preceded it have encouraged civil disobedience in the streets of our own cities, we are unable to protest when, in various cities around the world, our embassies are sacked, the homes of our officials attacked and they, themselves, subjected to indignities and humiliations.

Oh, we write a little pink note to some obscure official, but our protests have no backbone in them and the offending nation knows it. They must say to themselves: "If the Washington Government finances and encourages civil disobedience in the name of civil rights in their own cities, why can we not finance and encourage civil disobedience in front of their embassy or their information office or the home of their representative?"

It is a good question. Why should they not?

This, my friends, is the reason we get tongue-in-cheek apologies when we make our feeble protests.

Mr. Lawrence's editorial continues:

> Unfortunately, the "demonstrations" have been led by men who should know better. The leaders have included not merely protagonists for meritorious causes, but clergymen who, while preaching nonviolence, have closed their eyes to the incitement to violence which results from street demonstrations and, in some cases, from defiance of the law itself.

If Mr. Lawrence is not making direct reference to Martin Luther King, then I will do it for him. This so-called man of peace has the blood of hundreds on his hands because of the violence, the hatred, and the lawlessness which he has brought to this Nation.

I ask you if these, for instance, are the words of a peaceful, nonviolent man:

> It is time for us to say to these white businessmen, "If you don't do something about it we will engage in broader forms of civil disobedience."

This is the statement of Martin Luther King less than a month ago.

Does a man of peace send women and children into the streets at the head of his mobs, knowing full well that their disobediences will inflame the people and put their very lives in jeopardy? Does a man of God conduct himself in this manner?

The answer is obvious. He does not.

In the Beatitudes it says, "Blessed are the peacemakers." It does not say, "Blessed are the troublemakers."

Continuing the editorial:

> It has been argued that the police in the South are prejudiced. But how can we explain the outbreaks in cities like Chicago and New York, where the officers of the law have been attacked and, indeed, where the cry of police brutality has been raised? Yet the handling of disorders and incidents that may lead to violence is the duty of the local police. We cannot delegate it to a national police force.
>
> Understandably, demonstrations get publicity from coast to coast and are designed to mobilize public opinion behind worthy causes. But does this mean that we cannot utilize effectively the public forum, the printed word of the press, and the spoken word of radio and television? Cannot a righteous cause be successfully or persuasively espoused except by mobs in street demonstrations or by fanatics who have carried their campaign of intimidation even to the inside of the White House, only to be dragged out by police and arrested when they ignored requests to leave?
>
> Have we had a dispassionate discussion of the race problem itself? Have we endeavored to make people on both sides of the controversy in other sections of the country, as well as in the South, aware of the complex nature of a social problem of this kind?
>
> Essentially, the prejudices that are expressed on racial issues are not really based upon ethnic differences. They are based on the differences between man and man. Segregation has reflected a custom—a habit of our people—not merely in the South but also in the North. Gradually, the laws have decreed that the principle of segregation is invalid.
>
> But can the principle of integration be applied by law to the satisfaction of all who have felt the sting of discrimination? Isn't there also a problem in human relationships, in educating individuals, and in paving the way for better understanding between all groups in the Nation? And can this be accomplished better by mob violence than by the processes of reason?
>
> Does anyone who is familiar with life in a southern community believe that there is hate in the hearts of a preponderant number of the citizens toward any race or population group? Even in the days of rigid segregation, whether in railroad stations or in hotels or in restaurants or in schools, the relations between whites and Negroes were far better in many parts of the South than they have become in recent years in the North.
>
> The key to a solution of the racial problem in community life lies in a better understanding of human nature. Does anyone who has studied this problem in the South or elsewhere think for a moment that white people who have known Negroes over the years and have had personal and business relations with them are bent on inflicting hardships upon them, such as a denial of facilities for travel or of hotel accommodations or of an opportunity to get a job?
>
> One finds that the responsible individual, irrespective of race, who is able to conduct himself or herself honestly and with due regard for the rights of others invariably wins friends who remain true to that friendship, not for just a few years but throughout their lives. Why is it that we cannot widen this relationship to that of a community? Ministers of the gospel might better devote themselves to this task than to participation in street riots.
>
> The race question will never be solved with a policeman's club any more than by sit-ins or other incitement to disorder and mob violence.
>
> We are dealing with the facts of life. Some of the demonstrations have turned out to be a form of organized tragedy—a way of inflaming rather than cooling passions. If this is continued, the end result can only be a retrogression, an emergence of hate and bitterness on a wide scale, with the ultimate loss of the objective itself.
>
> There is a right way and a wrong way. The rule of reason is the right way. "Demonstrations" provocative of violence are the wrong way.

This, Mr. Speaker, is a logic which cannot be refuted, no matter what demagogic attempts any man may make.

The rule of reason is the rule of democracy. Anything less is despotism.

The Shreveport Times, in an editorial last Sunday, March 14, summarized the lawlessness of the demonstrations in Alabama in these words:

THE BLOODY RACIAL PICTURE

When the Federal civil rights law was enacted and President Johnson was elected to 4 years "on his own," it seemed possible that a modicum of sanity might make its way into the whole national racial picture—not all of it civil rights—from Boston to San Diego, and from Alabama and Mississippi to Washington, Boston, Chicago, San Francisco, and Los Angeles.

Some dared to hope last fall that the moratorium placed on racial demonstrations by the national Negro leaders during the presidential campaign—as a means of helping the Johnson-Humphrey ticket—would be continued. The Negroes had gained their civil rights law and their Federal election objectives.

But now we have had 8 weeks of demonstrations in Alabama which created tensions eventually setting the scene for the horrible clubbing to death at Selma of a white Boston minister by white hoodlums. Earlier, the whole national racial scene became inflamed with the assassination of a national Negro leader by other Negroes. The records of 1963–64 show more than 2,500 racial demonstrations in 40 States, with blood flowing in a majority of those States. The bloody record includes whites killed by Negroes and Negroes killed by whites; National Guardsmen in uniform and on duty wounded by Negro gunfire.

Three things stand out in the whole horrible picture of today:

1. The Federal Government itself, in various elements, holds some responsibility for some of the incidents at Selma which led to bloodshed and murder. It must accept that responsibility.

2. The equipping of Alabama State police with such weapons as bullwhips to prevent the Negro taking over and blocking of a Federal-State highway last Sunday was asinine.

3. We of the South are architects of at least the foundation on which the present repulsive racial structure in part of the South has been built. Had the South lived up to the "equal" part of the Supreme Court "law of the land" of the 1890's as well as to the "separate" portion of that high tribunal decision, it is unlikely that any of the present national picture would exist today in its bloody form; and it is a national picture and not just a southern picture.

BLOODY VIOLENCE IN KING'S WAKE

Whenever Martin Luther King, Jr., acts or speaks, there seems to be a wake of violent reaction which leads to bloody violence and at times to killing. The Nobel Peace Prize winner and preacher of nonviolence somehow seems to be a sparkplug spewing a backfire of bloody tension. His Alabama activities quickly incited racial outbursts in Washington, New York, Chicago, Detroit, Los Angles, San Francisco, and Philadelphia—even in the White House and on streets around it, and in the Department of Justice.

The Federal Government angle in the current picture is clear. Martin Luther King defied a Federal court order when he led his followers onto Highway 80 at Selma Tuesday for a second effort to travel it to Montgomery for 2 days and nights with 2,000 followers. In the end he turned back. But in Federal court he testified that Leroy Collins, former Governor of Florida and now head of the Federal Government's Community Relations Commission, told him "it would be all right to march" despite the Federal injunction, and gave him a route map to follow.

If Martin Luther King flouted the court order—which he did—so did Mr. Collins, in instigating Mr. King to his action by telling him he could take it with immunity, and even mapping a proposed marching course. Both clearly showed their contempt of a Federal court. And Mr. Collins is an official agent of the Federal Government. Mr. King also admitted in court that he ordered schoolchildren to flout the Federal court by leaving school to march on Tuesday.

Now, the Attorney General of the United States says he will prosecute Alabama troopers who turned back the Negroes. He made this statement after Negroes and whites for 2 days blocked the entrance to his office. He made it even as Negroes and whites demonstrated in the White House by sitting down inside and refusing to leave. A screen was set up so that Mrs. Johnson could pass them in normal exit from or entrance to the White House without possibility of annoyance. Neither the President nor anyone else made any effort to remove the White House demonstrators until 7 hours later.

The White House is a national sanctuary in being the residence of the President of the United States—not merely of an individual family. If Negro and other demonstrators can move in and stay there for hours without action to remove them, why can they not move into every single residence in the United States if they wish to do so?

This White House picture is one that certainly must make America a laughingstock in the capitals of the world and among the peoples of the world, black and white. It is disgraceful, disgusting, and repulsive—not only the sit-ins, but the failure of the Federal authorities to end it until the day was done.

Had these demonstrators been white Shriners or Boy Scouts or any others of white complexion, they would have been rolled out by the police in 30 seconds and, if necessary, tossed over the White House fence. They might have been given sanity tests, too.

Martin Luther King obviously wants Federal troops in Alabama. That has seemed to be his objective all along. If he keeps on with his present course he should get them, but he should get them to clear the Federal highways and the streets and the communities of Negroes and whites who incite violence as well as those who commit it.

Highway 80, which the Negroes sought to use for their march from Selma to Montgomery Sunday and Tuesday is part of the Federal highway complex and is a Federal national defense highway. It is the longest all-weather highway in the Nation. It runs between Savannah, Ga., on the Atlantic coast and San Diego, Calif., on the Pacific coast. In between, it connects Montgomery, Meridian, Miss.; Jackson, Vicksburg, Monroe, Shreveport, Dallas, Fort Worth, El Paso, Tucson, and Phoenix.

Because of its nature, Highway 80 is subject to all kinds of regulations at Federal and State enforcement levels. You cannot camp on it, build fires on it, commit nuisance on it, block traffic in any way on it; or in any way endanger the life of anyone, shoot roman candles, or disturb the peace. This applies to the whole right-of-way as well as to the concrete.

From coast to coast, it is one of the most traveled roads in the Nation. It is filled 24 hours a day with high-speed cars and fast-moving trucks.

MARCH WOULD HAVE ENDANGERED LIFE

To let 2,000 Negroes and their white backers take over 50 miles of such a highway for marching and camping for 2 nights would be to invite death not only among the 2,000, but of motorists all along the line.

If 2,000 white Shriners or white Boy Scouts had attempted such a march, there would have been not one word of protest anywhere in the Nation if they were removed at once by all the physical force necessary.

But even as the White House squatters still squatted, Attorney General Katzenbach announced he would bring Federal prosecution of Alabama State troopers who sought to keep Highway 80 clear for interstate vehicle traffic.

Governor Wallace was 100 percent right in sending State troopers to keep this highway clear when Martin Luther King twice sent his demonstrators—whites included—to march over it. He was right in refusing to let them use it in a way to block public traffic, and thus in trying to protect their lives and those of motorists from needless and illegal risk. His troopers moved too fast Sunday—under heavy tension—but were exemplary Tuesday.

Negro and white preachers of the righteousness and nonviolence of racial demonstrations have been saying that we are a sick Nation of sick people living in a sick civilization because everyone does not immediately jump to attention in behalf of the Negro rights cause.

If the time has come when the White House, the Attorney General's Office, a Federal court and law enforcement on through to State and Federal public highways can be flouted by Negro and white demonstrators contrary to law, and with the Federal Government giving encouragement to such steps by making its only response a promise to try to jail law authorities trying to halt the flouting in Alabama but using force to end it in Washington, then we are a sick country, a sick civilization.

President Johnson brought pride to many when he announced he would not be blackjacked by demonstrators, and the police bodily hauled screaming Negroes and whites from White House areas. Why is it wrong for a Governor, a mayor, or a sheriff to do the same thing? After all, an FBI agent testified in an Alabama Federal court that use of gas on Highway 80 was in the interest of public safety.

Mr. Speaker, I commend the author of this editorial. He has, in a relatively few words, stripped away the frenzy, the misjudgment and the hysteria which have characterized this issue for so many months and, indeed, years. As do all editorials this one reflects the individual thinking of the writer. But there is little I or any other reasonable man could dispute.

I cannot materially improve on what he has written. I can only echo his words when he states that, if the time has come that this kind of lawlessness is condemned in Washington but encouraged in other parts of the Nation, then we are, indeed, a sick country and a sick civilization.

In the wake of the tragedy that has highlighted the past few weeks, comes now the frantic and frenzied argument that the solution to all the problems of all the races is to take away from the States the rights to govern themselves; to elect their own officials.

What manner of hypocritical and hysterical nonsense is there in such a fallacious argument?

If there has been discrimination in exercising the voting privilege of any man, solely on the basis of his color—and there has been, in every section of the Nation—then it is a violation of the Constitution and only the courts have the right to determine it.

By the same logic, if there is to be any change in the laws which govern the qualifications of the voters, that change must be made by the individual States, for the Constitution expressly says that such rights are reserved to them.

The courts—including the Supreme Court—have repeatedly and even recently, upheld the rights of the States to prescribe voter qualifications.

A short time ago, the Supreme Court unanimously upheld a literacy test used in North Carolina as being within the right of the State to prescribe. This, mind you, was a unanimous decision.

The Constitution says that no man shall be barred from voting on the basis of his color alone and, Mr. Speaker, I agree.

But the Constitution does not say that every man has the right to vote—for there is no such right. It is a privilege.

The people of New York have no "right" to vote in an election in California, for instance. Those who do not own property, have no "right" to vote in bond issue elections. No voter has the right to vote in the middle of the night when the polls are closed. We must wonder, however, if the legislation now proposed gives him the right to register in the middle of the night. A youth of 17 has no "right" to vote in any election. Forty-nine States will not allow a youth of 20 to vote.

These are just a few examples of the restrictions which the States have always had the right to specify in laying down the rules and regulations under which elections are to be conducted. There are many more.

The proposal which has been handed the Congress today further opens the door to absolute Federal control of every election because it denies that the sovereign States have the right to control the election of its own officials—a right clearly and unmistakably spelled out in the Constitution of the United States.

If this legislation is passed, it will strip the States of all their authority over their own elections. When this is done, the day cannot be far off when the States will have no say over the qualifications of its candidates and the decision as to who can and who cannot seek office will be decided in Washington.

I have repeatedly issued this warning for more than a decade.

The proposal we have been handed today is undemocratic and it is unconstitutional and I will oppose it with all my strength.

I shall not be overcome.

ST. PATRICK, A SAINT FOR TROUBLED TIMES

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CONTE. Mr. Speaker, there have been many and eloquent tributes made in this Chamber today and throughout this great land of ours in honor of St. Patrick. The celebration of his feast day has always been an occasion for gladness and rejoicing. While he truly belongs to the sons of Erin, his appeal is universal. I have never met an Irishman who resented observance of St. Patrick's Day by anybody willing to open his heart and let in a little Irish sunshine.

It occurs to me, too, that while St. Patrick is an Irish hero, the image of this humble missionary who, almost 1,500 years ago planted the seeds of faith and brotherhood on Irish soil, may have its greatest impact on America today.

For there are those among us who find little to celebrate on this happy day—who find little cause for gladness and rejoicing. I have had occasion within the last week to see for myself the struggle in the faces of these people—the struggle between hope and despair, between faith and resignation. I know in my own heart what will win that struggle. I can predict the outcome. But I cannot predict how many hearts will be broken along the way, how many faces will lose forever the power to smile.

So it also occurs to me that St. Patrick's Day is a fitting time not only for rejoicing and celebration, but for inspiration and rededication—a time to borrow from St. Patrick more than his gaiety and laughter. We must add a full measure from his boundless faith in God and man, from his unlimited patience, and from his great wisdom.

LEGISLATION TO IMPROVE SOCIAL SECURITY BENEFITS IS NEEDED

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. MIZE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MIZE. Mr. Speaker, I am pleased to introduce today a bill to increase benefits under the Federal old-age, survivors, and disability insurance system and to make other needed improvements in our social security program.

Because of deficit financing, unbalanced budgets, and rigged inflation, the value and purchasing power of the dollar have steadily declined since 1935 when the social security program was established. This erosion has amounted to 56 percent since that time. It is necessary, therefore, and proper that the Social Security Act be amended to increase benefits, to compensate for this decline in purchasing power, and this bill will, among other things, provide for an increase in cash benefits.

Specifically, the benefits provided in my bill include:

First. A 7-percent increase in cash benefits, with a minimum increase of $5 for the primary insurance amount.

Second. A minimum benefit of $35 for many of those over age 72 who do not meet the work requirements of present law.

Third. Liberalization of the work test in order to avoid penalizing the aged who might seek to supplement their social security benefits with part-time jobs.

Fourth. Social security benefits for dependents who are attending school up to age 22, instead of age 18.

Fifth. Social security benefits for widows beginning at age 60, rather than age 62.

Sixth. Liberalization of the gross income upon which farmers may elect to pay social security taxes.

Seventh. Recognition of the conscientious objection of certain long-established religious groups to the social security concept.

VALLEY NEWS SCORES VA CONFUSION AS MISHMASH

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I submit for the RECORD an editorial from the Lebanon, N.H., Valley News, which expresses exactly the trouble with the Veterans' Administration's proposal to cut back its regional offices serving New Hampshire—and other areas of the country as well.

The editorial is one of the best statements I have seen on the problem of overcentralization in government. In this particular case, the VA has brought forth no reasonable justification whatever to support its proposal—just a mishmash of confusing semantics, to quote this excellent editorial. I oppose these plans and shall continue to do so. I hope all Members will read it and see how these so-called improvements would affect the veterans of New Hampshire.

CONFUSION IN THE VA

When Veterans' Administration Director William J. Driver stands in his Washington, D.C., office and looks at a map on his wall, the upper valley may not appear to be any great distance from Boston.

If he were a disabled veteran in an upper valley community, the distance would be immeasurably greater. And the contrast between the highly human relationship he has had with his local VA contact man, and that relationship he will have with a Boston letter opener who must of necessity regard him as little more than a "C" number, can only widen the gap of understanding further.

Mr. Driver has said that "personal assistance to veterans and their families (in Vermont and New Hampshire) will remain unchanged."

Can this be so if the regional office in White River Junction is to be closed?

In a letter to the New Hampshire Senate Mr. Driver said the White River Junction office will remain open.

Does he mean that the regional setup will remain?

Or does he mean that only a token office with a token force of two or three people will remain in White River to render service to the whole vast area covered by the present installation?

Banner headlines which proclaim that the VA means to retain its New Hampshire and

Vermont offices in White River and Manchester mean little without further explanations. And thus far not even the President and Mr. Driver have seemed to agree on what these further explanations are.

Our disabled veterans in the twin States deserve more than the mishmash of confusing semantics they've been getting from Washington. So do the regional office personnel in White River and Manchester.

RESIDUAL OIL QUOTAS SHOULD GO

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, on March 10, 1965, I addressed the House concerning the continuing problems imposed on New England by unfair residual oil quotas; see page 4742 of the CONGRESSIONAL RECORD, March 10, 1965. As I pointed out, these quotas are extremely unfair to New England and indeed the entire eastern seaboard. Hopefully, they will soon be abolished by this administration which is doing so much for the coal mining regions of this country and the oil-producing regions of this country, and so little for the consumer and so little for New England. It is encouraging to me that the message is getting through to the people in my district.

William Rotch, the editor and publisher of the Milford Cabinet, recently wrote a perceptive editorial on the subject. The Littleton Courier, whose editor Jack Colby has frequently spoken out against the injustices of the residual oil quota, has also commented perceptively on the subject.

Because even now the decision by this administration on residual oil quotas is pending, I insert these editorials in the RECORD in hopes that their message will be read by those charged with this important decision.

[From the Milford Cabinet & Wilton Journal, Mar. 25, 1965]

WHY GET EXCITED ABOUT RESIDUAL OIL?

Chances are that most people in New Hampshire have never seen any residual oil and would not recognize it if they did. Yet, in Washington their Congressman is urging the administration to lift quotas on the amount of residual oil that can be imported and charging that New England industries are bleeding to death in order to subsidize the coal interests of the Appalachian States.

The residual oil story would appear to shed some light on how politics can replace the laws of supply and demand, of how world trade can affect New Hampshire, and why it makes sense to have JIM CLEVELAND stand up in Congress and make speeches calling for fewer restrictions on imported fuels. What is it all about?

The Cleveland version of the story is explained in the adjoining column. But a few days before we read his remarks we were chatting with an engineer for one of the big New York power companies. We asked him to explain in simple language the problem of residual oil and why we should get excited about it. This explanation may be oversimplified, but for what it is worth we pass it along.

In the United States petroleum is refined in huge technically sophisticated plants that break down the crude oil into a variety of products. In some countries, Venezuela for one, the refining process is not carried so far, and after the gasoline is extracted what remains is a heavy black substance known as residual oil and valuable principally as an industrial fuel. Most residual oil comes from these foreign refineries and the amount that can be imported into the United States is limited by quota.

"My company's plants are equipped to burn either residual oil or coal," our engineer friend explained. "The oil is much cheaper and we would prefer it, but we cannot get enough. The Government quotas bear no relation to our needs, or to the increasing demands for electricity.

"The result is," he went on, "that we burn more and more coal. This is nice for the coal companies, and perhaps it helps Appalachia, but never forget that the cost is passed right along to the consumer, and if the coal interests are being helped it is only at the expense of the people who use our electricity."

This explanation ties in with what JIM CLEVELAND has been saying in Washington. By limiting imports of residual oil the administration forces New England industries to use a more expensive fuel. Chances are the consumer never knows what is hitting him; he just knows that prices keep going up.

So we elect a Congressman to go down to Washington where we hope someone listens when he declares that New England is willing to pay its full share of the costs for the national welfare, but it deeply resents the constant and silent tribute it has to pay to the special interests of the coal-producing States.

[From the Littleton (N.H.) Courier, Mar. 18, 1965]

TRIBUTE TO SPECIAL INTERESTS

"We in New England are more than ready as we have always been, to pay our share of costs for the national welfare, but we deeply resent and deplore this silent exaction of tribute to special interests."

Making this statement on the floor of the House in Washington recently was Congressman JAMES C. CLEVELAND, and reference was being made to restrictions of residual oil coming into New England. These controls on a fuel so basic to our economy "are slowly bleeding us" for the benefit of coal-producing areas, Congressman CLEVELAND charged.

The coal industry today is vigorous and healthy, with even brighter prospects ahead, and the residual oil quotas could be discarded completely without affecting the coal areas. Yet it is these areas, representing powerful economic and political blocs, that are responsible for the continued maintenance of the quotas that place a heavy financial burden on the consumer of fuel in New England—with no relation to the economic problem of our coal-producing areas.

"These same coal-producing areas have won a huge Federal subsidy in the form of the Appalachian bill," Congressman CLEVELAND pointed out. "Let me say that we in New England are most sympathetic with the economic problems of Appalachia. We, too, are part of the Appalachian chain and we know what it is like to lose whole industries on which the economic life of our communities depends. We are fighting back and making a good fight. We do not ask the rest of the country for special favors. But we do ask for terms of fair competition.

"While our taxes will be taken to help finance this tremendous Appalachian program for 11 States, we are also paying additional tribute to the coal States in the form of high fuel costs, unnecessarily imposed through the discriminatory residual oil quota system.

"New Englanders are being asked to support the Appalachia program, yet at the same time we are being forced to endure hardship through the fuel policy imposed largely by the power of the Appalachian coal States."

As the Congressman points out, it is high time that controls on a fuel so basic to the New England economy be removed once and for all. There is no room for discrimination of this or any other kind.

ELDERCARE ACT OF 1965

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. LANGEN. Mr. Speaker, if this Congress is going to enact a program of health care for the aged, we are going to have to get the most for our money and the greatest amount of protection for our senior citizens. That is why I am joining colleagues from both sides of the aisle in introducing the Eldercare Act of 1965, a plan to authorize broad health insurance coverage for elderly persons.

It would authorize Federal grants to the States on a matching basis to help persons 65 years of age and older to pay the costs of health insurance if they cannot afford or obtain it otherwise. This legislation is designed to provide insurance covering all of the services required by our senior citizens, in contrast to the very limited benefits contained in many of the bills proposing the raising of social security taxes. Under this bill the solvency of the social security fund would not be endangered, and the medical profession would not be led closer to socialized medicine. Benefits under this Government-financed insurance plan could include not only payment of hospital and nursing home charges, but also payment of other costs such as surgical charges and drugs. There would be no limit to the duration of the coverage, thus providing protection against catastrophic illness.

The Eldercare Act of 1965 also is completely voluntary, and eligibility for benefits would be determined on the basis of a simple income statement from the applicant, without any welfare type of investigation. The individual State would set minimum and maximum income classifications, and all elderly persons whose incomes fall below the minimum limits would have their health insurance paid entirely by the Government. Those between the minimum and maximum would pay a part of the cost on a sliding scale, and those above the maximum would pay their own premiums, but would be eligible for the insurance. Therefore, the taxpayers of the Nation would not be forced to pay for the health insurance premiums of those who are financially able to pay for their own.

Mr. Speaker, it is respectfully requested that the Eldercare Act of 1965 be given serious consideration as a workable and preferred answer to the health care problems of our senior citizens.

TAX TREATMENT OF TEACHERS

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GRIFFIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, earlier this week I introduced a bill, H.R. 6275, which is designed to correct certain inequities in current rulings by the Internal Revenue Service relating to tax deductions for educational expenses of teachers.

I am convinced that this legislation is important and necessary to the teaching profession, and that its enactment would go a long way toward encouraging better qualified teachers to remain within their profession.

At the present time, under regulations promulgated by the Internal Revenue Service, expenditures made for education are deductible only if made for the purpose of, first, maintaining or improving skills required in one's employment, trade, or business; or, second, meeting an expressed requirement of the employer as a condition of retaining one's salary, status, or employment.

In the case of a teacher, this means that educational expenses can be deducted only if the additional education is necessary in order for the teacher to maintain his current position. Accordingly, deductions are allowed now if a teacher is coerced by his supervisor to return to college or if he is threatened with loss of certification. But, if a teacher takes the initiative and returns to college voluntarily for the purpose of becoming a better qualified teacher, the deduction is denied.

A teacher may deduct educational expenses incurred to maintain his current position, but a deduction is denied if the additional education leads to a promotion.

Surely, our existing tax regulations present a strange paradox. At a time when our Nation is becoming increasingly aware of the need for more and better trained teachers our tax regulations actually penalize the very teachers who are most interested in self-improvement and advancement.

One group which is hit hard by the present tax regulations are those who are preparing for college teaching. In many colleges and universities throughout the country it is common to find part-time teachers who are working toward advanced degrees. Instead of encouraging part-time teachers to make the necessary investment of time, energy, and money to become qualified, full-time professors, the present IRS rulings discourage them.

Of course, the IRS is limited by the present language of the Internal Revenue Code. Within the limits fixed by the law, the IRS has tried to provide fair interpretations; however, there remains an abundance of confusion and controversy. The existing confusion should be cleared away by amending the law so that deductions by teachers for educational expenses can be based directly on the Revenue Code.

If my bill were enacted, teachers would no longer be required to rely upon IRS interpretations; they could look to precise language in the Revenue Code. Under my bill, deductible expenses would include: tuition and fees, expense of travel away from home, and up to $100 per year for books and related materials. Such deductions could be claimed by part-time or full-time teachers who undertake academic work in accredited institutions of higher learning.

All deductions now available to teachers under the present regulations would be continued. However, my bill would provide for important improvements in the present tax treatment of teachers.

First. Under my bill, it would no longer be necessary for a teacher to be threatened with the loss of his position in order to qualify for a deduction. A teacher could pursue higher academic study on his own initiative, and he would be allowed to deduct his educational expenses even though the additional education might lead to a promotion.

Second. My bill would extend the allowance of such deductions to part-time teachers. This would be especially helpful to those who teach part time while pursuing a course of study leading to an advanced degree. The provision would ease the burden on many "apprentice" college teachers.

Third. Under my bill, the deduction allowable for travel would be extended to include travel necessary in connection with a course of study or work on an academic degree. This would help the teacher working on a thesis or dissertation which requires out-of-school experimentation and fieldwork.

Mr. Speaker, I believe that this bill should have the support of all who seek to improve education. Surely, there is no better way of achieving this goal than to encourage teachers to continue their education.

Mr. Speaker, the text of the bill, H.R. 6275, follows:

H.R. 6275

A bill to amend the Internal Revenue Code of 1954 to provide for deduction of certain education expenses of teachers

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 162 of the Internal Revenue Code of 1954 (relating to trade or business expenses) is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

"(f) CERTAIN EDUCATIONAL EXPENSES OF TEACHERS.—

"(1) IN GENERAL.—The deduction allowed by subsection (a) shall include, in addition to any deduction under the preceding subsections, any eligible education expense paid or incurred by the taxpayer in the taxable year, if the taxpayer was a teacher during such taxable year or during one of the four preceding taxable years.

"(2) ELIGIBLE EDUCATION EXPENSE.—For purposes of this section the term 'eligible education expense' means only an expense paid or incurred—

"(A) for—

"(i) tuition and fees,

"(ii) travel away from home, and

"(iii) books and educational materials, required for a course for academic credit at an institution of higher education or for an academic degree at such an institution; or

"(B) for books and educational materials related to the subject of any such course.

The amount deductible by reason of subparagraph (B) shall not exceed $100 in any taxable year.

"(3) OTHER DEFINITIONS.—For purposes of this section—

"(A) The term 'teacher' means a person compensated for full-time or part-time professional services, related to an instructional program, at an institution of higher education, an elementary school, or a secondary school. Such term includes teachers, librarians, guidance counselors, supervisors, and administrators.

"(B) The term 'institution of higher education' has the same meaning as such term has in the first sentence of section 103(b) of the National Defense Education Act of 1958.

"(C) The terms 'elementary school' and 'secondary school' have the same meaning as such terms have in sections 103(g) and 103(h), respectively, of the National Defense Education Act of 1958."

SEC. 2. The amendments made by this Act shall apply only with respect to expenses paid or incurred in taxable years beginning after the date of enactment of this Act.

THE DUTCHMAN WHO WROTE "WHEN IRISH EYES ARE SMILING"

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, this is the day when we American Irish proudly celebrate a great tradition of freedom, good humor, and devotion to the cause of the Great Society.

In good conscience I could not let this day pass without paying tribute to the man who wrote the words to one of the songs we are going to be hearing throughout the day and night.

The song is "When Irish Eyes Are Smiling." And the man who wrote it—a fine gentleman named George Graff—is a resident of my congressional district.

Now, being Irish, and being proud of it, I should like nothing better than to tell you that Mr. Graff is equally Irish. But I must, in all candor, admit that he is Irish only by adoption.

Mr. Graff is, I am told, a Dutchman and I know that he is proud of his ancestry. Quite frankly, I do not care what part of this great world his parents may have come from, for it is obvious to us all that he has enriched our continent with some of the finest and most lasting lyrics we have heard.

I just want to pause for a minute here today to pay tribute to George Graff, who lives in Stroudsburg, in Monroe County, Pa.

Mr. Graff has been a creative and constructive leader in his community for many years. He is a man of such wit and humor, I believe that he will enjoy celebrating this St. Patrick's Day, 1965, among the many other celebrities and

honorable citizens whose names will find their way into these pages.

To George Graff, the Irish of America and the world cannot help saying a warm and affectionate word of thanks.

AIR POLLUTION AND THE NUMBERS GAME

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. DENT. Mr. Speaker, when an industry begins to fight a competition for a given market, it no longer should have Federal subsidies or privileges not accorded to its competitors.

Up until now, moneys spent for development and research by the Government can be justified when a search is being made for a thing of value for all the people.

We place nucleonics in this category. Our taxpayers' moneys without much restriction on amounts aid in the development of this potential industrial giant.

Now we find that persons, most of whom contributed little of their worldly goods to its development, are seeking to use the new found source of energy to drive out of the energy market the coal, gas, and oil industries while still enjoying in some instances the benefit of public funds.

Heat is heat and light is light, and when in the normal use of these required elements an industry can become a monopoly, then it is time we look at the costs—the costs in man work, investment, and the development of further uses of the competing fuels.

Certainly with over a thousand years of known reserves in coal, it is no time to allow Government-sponsored competition to develop a scare-type campaign to do what it cannot do on a strictly cost-economy base.

I am reminded of the TV and press media claims of the various headache and pain remedies. They are getting so bad in these advertising name-calling sessions that a listener needs a headache tablet when they get off the air.

Frankly, the sum and substance of the nucleonics editorial is an appeal for other Government agencies to push coal out of the competitive market as a health hazard.

Funny thing about that; this country became pretty much of a leader in everything all over the world before nucleonics ever entered the picture.

I have voted for funds for all research and development projects and probably will continue to do so but I draw the line at our modern era's disregard for the rights of others and below-the-belt punching by a fighter who is not even listed on the fight card.

I present for the RECORD correspondence from the National Coal Policy Conference and enclosures for the Members of the Congress.

NATIONAL COAL POLICY CONFERENCE, INC.,
Washington, D.C., March 9, 1965.

PHILIP SPORN STRONGLY PROTESTS NUCLEONICS EDITORIAL URGING INDUSTRY RAISE AIR POLLUTION ISSUE TO FIGHT COAL

In the newsletter of February 25, 1965, we called attention to an editorial which appeared in Nucleonics Week urging the civilian nuclear power industry to launch a campaign to "sell" atomic powerplants on the clean-air issue.

"The one issue on which nuclear power can make an invincible case is the air pollution issue," the editorial stated. "It is clear that nuclear powerplants, as 'clean air plants,' have a claim to earn the public's positive preference as long as 19,000 persons are killed each year from the effects of smoke from fossil fuels, not counting such occasional catastrophes as the 5,000 killed at Donora, Pa., in 1948."

The problems faced by nuclear plants are not technical or economic, but rather that of siting, the editorial stated. Other arguments, such as safety and economy of operation, are not persuasive when they come up against the public concern about location of nuclear plants in heavily populated areas, the editorial pointed out, and the only issue which can overcome these fears, and bring about construction of nuclear plants in urban areas, is that of "clean air."

The editorial, in essence, urged the nuclear industry to launch a "fear campaign" based upon the danger to public health from pollution of the air due to burning coal and oil in powerplants.

Mr. Philip Sporn, chairman of the system development committee of the American Electric Power Co., and a foremost authority on electric power generation, took sharp exception to the Nucleonics Week editorial. Because of the great interest the coal industry has in this problem, a copy of Mr. Sporn's letter to J. D. Luntz, publisher of the publication, is enclosed. Mr. Sporn points out in his letter that the coal industry has not attempted to fight nuclear power by raising the issue of safety.

Also enclosed is a letter written by Mr. Luntz in reply to Mr. Sporn's protest. In his letter Mr. Luntz admitted that the editorial used "erroneous statistics" and that the editorial "overstated the case." Yet, the tone of the letter clearly indicates that this influential publication, known as the "Bible of the nuclear power industry," will continue to urge a "fear campaign" on air pollution to sell nuclear power.

By general agreement, the coal industry has refused to exploit the fears of the public aroused by proposals to locate nuclear plants in populated areas. Instead, the coal industry has based its program upon opposition to Government subsidy of commercial nuclear plants, which distort the normal competitive relationships, and has urged that nuclear power be required to stand on its own feet, without help from the U.S. Treasury, as does coal, oil, and natural gas when used as a fuel for generating electricity.

Also enclosed is an article from the Oil Daily of Monday, March 8, which also comments on the use of questionable statistics in the air pollution fight. Although the article did not directly comment on the Nucleonics Week editorial, it does apply to the same general subject.

JOSEPH E. MOODY,
President.

AMERICAN ELECTRIC POWER CO., INC.,
New York, N.Y., March 2, 1965.

Mr. JEROME D. LUNTZ,
Editor and Publisher Nucleonics Week, New York, N.Y.

DEAR JERRY: The other morning I picked up the February 25 issue of Nucleonics Week and was shocked to read on the front page the most irresponsible editorial that I have ever seen in the nuclear press. In my judgment, the reckless use of unsupportable and irrelevant statistics and the suggestion that the nuclear industry should promote its own public image of safety by waging a campaign to condemn the public health aspects of another segment of the energy industry represents the most reprehensible kind of journalistic sensationalism and irresponsibility.

Several years ago it appeared that the nuclear and coal industries were on the verge of engaging in a vitriolic and uneducated campaign in mutual recriminations and allegations of unsafe operations by the other. Fortunately, good sense prevailed and we avoided the kind of destructive uninformed conflict which could only have resulted in great harm to the public and to both these industries, each of which, in my judgment, has ahead of it the responsibility of playing a vital role in the future energy supply of the United States. You cannot imagine how dismayed I am to find Nucleonics Week, which I have considered to be a responsible, mature publication, igniting these self-defeating fires and intensifying this conflict.

Undoubtedly an important job of education needs to be done to familiarize the public with the facts regarding nuclear safety so that they do not react in panic to proposals to construct nuclear plants. One of the ways in which this job of education will be accomplished is through the construction and safe operation of a regularly and consistently increasing number of nuclear plants, at first somewhat removed from large centers of population. It seems to me that, slow as it may appear, the nuclear industry needs to approach the matter of plant location with some modesty until it accumulates a mounting and impressive backlog of experience in safe operation of nuclear plants. In any case, the safety of nuclear plants needs to be demonstrated on its own merits and not by attacking the fossil-fuel plant with misleading data and making absurd statements about the relative number of people each type of plant will allegedly kill.

Over the years I may have had some influence with the leaders of the coal industry in convincing them that they, too, must compete with nuclear power on its merits and not by raising an unsupportable or unjustifiable hue and cry regarding safety. But surely, if we are to avoid the regrettable consequences for the country of a public engagement in foolish, venemous attacks by the fossil-fuel and nuclear industries on each other a code of responsible behavior needs to be accepted on both sides. We can hardly expect the coal industry to refrain from raising ill-advised questions regarding the safety of nuclear plants unless the nuclear industry will also accept the obligation to behave responsibly.

As one of the leading publications of the nuclear industry, Nucleonics Week should be expected to take the lead in encouraging such responsible behavior on the part of the nuclear industry. Instead, to my deep dismay and great regret, I now find Nucleonics Week trying to attain leadership among the irresponsible purveyors of irrational fear.

Sincerely yours,

PHILIP SPORN.

NUCLEONICS,
March 4, 1965.

DEAR PHIL: I very much appreciate your taking the time to give me your thoughtful reaction to our February 25 Nucleonics Week editorial. Needless to say, I am deeply distressed at your belief that our editorial will have an effect opposite to the one we were seeking, which was the encouragement of public understanding and the growth of a national power system in a way that would serve the public interest best.

Before receiving your letter, I had already come to the conclusion that the use of the

statistics we carried distorted the picture. This conclusion was reinforced by the fact that I found that the figures were in error. We have already written a correction on this to appear in our next issue. I am enclosing a copy of it.

But on the central issue—whether one should raise the problem of air pollution at this time—my feeling is that air pollution from whatever source should be a matter of increasing public concern.

Because we are at a point where serious consideration is being given to the location of large nuclear powerplants near and in large urban centers, it is vital, I believe, that the public be provided with as much factual data as possible on the potential effect on the public well-being of different types of powerplants.

The effect of nuclear powerplants on the public health and safety should be evaluated thoroughly. And so should the effect of fossil-fired stations.

There are some locations where the potential hazards from air pollution are sufficiently great that, on this basis alone, it may be more desirable for a nuclear station to be built.

In fact, just last week, a very responsible electric utility official, Mr. M. L. Waring, senior vice president, Consolidated Edison Co., made this point as follows:

"Most important of all, however, is the advantage atomic power holds over fossil fuels in the area of air pollution control. Atomic power completely eliminates the pollutants associated with the burning of coal and oil. Where air pollution is a problem, and it is a growing one, not only in New York but in many cities, atomic powerplants are an ideal solution to the long-term needs of energy supply. Heat from atomic reactors will provide both electricity and steam for their many uses, all without adding to the problems of air pollution control."

Although I apologize to you and our other readers for our having overstated the case with the use of erroneous statistics, I do firmly believe that it is in the public interest and in the interest of our Nation for there to be a scientific study of the contribution to air pollution of the operation of power plants of all types. Then, according to the needs of a particular city or area, a more responsible decision can be made on the type of plant that should be built.

Sincerely yours,

J. D. LUNTZ.

CORRECTION

We want to correct an error of fact and emphasis contained in an editorial that appeared in our February 25 issue.

We recommended that the U.S. Public Health Service undertake a scientific study of the air pollution problem and report to the public on its findings. We suggested that the effect of both fossil-fired and nuclear powerplants be considered.

We expressed our own belief that the effluent from fossil-fired powerplants is an important contributor to the problem. In doing so, we said that 19,000 persons are killed each year from the effects of smoke from fossil fuels, not counting such occasional catastrophes as the 5,000 killed at Donora, Pa., in 1948.

In our March 4 issue, we pointed out that we had been mistaken in saying that the 5,000 deaths had occurred in Donora. The city was London, in 1 week in 1952, when there were 4,000 to 5,000 deaths attributed to air pollution.

In addition, further checking of our figures reveals that the figure of 19,000 deaths refers to an estimate of annual deaths from all sources of air pollution, not just those from the smoke from fossil-fired power stations (see Nucleonics, Jan. 1964, p. 18, for estimate based on U.S. Senate hearings).

In our further research, we talked to Vernon G. MacKenzie, Chief, Division of Air Pollution, U.S. Public Health Service, who told us: "I don't think there's any question that air pollution to which powerplants contribute is definitely a public health hazard. But it's very difficult to prove quantitative numbers because you are dealing with factors of multiple causation, and to say that any one factor in this area was a specific cause rather than one of multiple contributors is not susceptible of proof now or in the future. There is no question but that pollutants that are definitely a public health hazard come from powerplants using fossil fuels; but to tie it down quantitatively is not feasible right now."

It is because of this lack of quantitative data that we continue to recommend that a thorough study be undertaken.

The EDITOR.

[From the Oil Daily, Mar. 8, 1965]

PETROLEUM TECHNOLOGY ECONOMICS: AIR POLLUTION AND THE NUMBERS GAME

(By Jeff Hunnicutt)

Misleading nature of much of the air pollution propaganda now circulating demonstrated by numerical analysis of recent technical society paper treating with contamination by sulfur dioxide.

What this petroleum industry sorely needs—along with the steel, coal, paper, and other industries with vital interests at stake—is a coordinated and knowledgeable central debunking agency.

The sole function of this agency would be to counteract the growing mountains of misleading—and sometimes downright erroneous—air pollution propaganda being dumped on the Great Society in the sweet name of clean air, sparkling pure water, study contracts for the devoted, and votes for the righteous.

As we envision it, the agency would be staffed with industry people who are at least as erudite (not a large order) as the ever-well-intentioned purveyors of hysteria who frequently find they can accomplish more by misdirection and the creation of illusions than they can with cold, hard facts.

As a stopgap measure until the central debunking agency can be created and start functioning, we tender the services of this column and a sample of the confused and misleading material that should be the CDA's first order of business, to wit:

Some 10 days ago, during American Institute of Chemical Engineers annual meeting in Houston, a paper was presented on the general subject of air pollution by sulfur dioxide. The 16-page paper can be summarized by the statement that the major sources of sulfur dioxide released to the atmosphere in 1963 some 23,370,000 tons of SO_2 in the continental United States.

That 23.3 million tons is a most impressive figure. It is even sufficiently large to bedazzle Washington, where they prefer to talk in terms of billions. Any way you slice the statistics it adds up to a whale of a lot of SO_2.

But let us have a second thought.

Having consulted the World Almanac, we find that the land area of the United States is slightly over 3 million square miles. Assuming a cover over this area at an altitude of 1,000 feet, we converted the 23 million tons to volume.

We then assumed instantaneous release and complete and thorough mixing in this U.S. "chamber" and wound up with an SO_2 concentration in the order of 3.15 parts per million—which is just about the concentration of sulfur dioxide in New York City air during the winter.

Having generated the concentration once, using up all of the aforementioned 23 million tons of sulfur dioxide to do it, we invite you to play with the theory of how long it takes the "chamber" to be exhausted or washed out with rain and then have air completely free of SO_2 for the remainder of the 365 days.

Obviously these total figures are meaningless. Conditions must be evaluated on a local community basis. The figures do serve, however, to make our point:

It is entirely possible to use numbers to prove almost anything you want.

With all seeming modesty, be it known that inspiration for this method of an analysis did not originate with us. We like it, however, and we submit that 3.15 parts per million is a figure substantially less hysteria laden than 23,370,000 tons of SO_2.

ST. PATRICK'S DAY

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. MINISH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MINISH. Mr. Speaker, today, once again, we rise in special recognition of Ireland's beloved patron saint, the courageous, dedicated St. Patrick, whose love of God and love of freedom changed the destiny of Gaul.

Born in Britain in about the second century, he was brought as a young boy to Ireland—as a Gaulish captive and trophy of war. Years later he returned by choice to that beautiful land and stayed to become one of her greatest Irishmen and one of the great men of the world.

St. Patrick brought Christianity to Ireland. And so effective were his labors that by the time of his death the people of that land were not only predominately Christian, but held in their hearts a spirit that would endure from generation to generation. He gave the Irish a deep understanding of the two great and related concepts of faith and freedom. He taught them the love of God, the love of justice, and the love of freedom.

One of the secrets of the wonderful power wielded by St. Patrick was his rare combination of the spiritual with the human. Among saints, Patrick was eminently saintly, but among human beings, he was very, very human.

It has been written that his shining virtues made him kin of the angels. But, as the historian Seumas MacManus points out:

His human frailties—his passionateness, his impetuosity, his torrential anger against tyrants, his teeming fierceness against sinners in high place, his biting scathe and burning scorn—made men feel that he was a brother to all men—especially to all Irishmen. It was only a man of such terrible passion and such ineffable tenderness who could have gained, as quickly as Patrick did, complete moral ascendancy over the Irish nation—so amazingly compelling their allegiance, obedience, faith, belief, and trust.

This Irish spirit, or the spirit of St. Patrick, has endured years of sorrow and oppression as the Irish fought bravely for sovereignty. It has endured the waves of Irish migration to other lands.

And where they settled it was a spirit contagious to those around them. They were among the pioneers of the spirit of American liberty.

The earliest recorded celebration of St. Patrick's Day on American soil was held in Boston in 1737, more than a quarter of a century before the signing of the Declaration of Independence; and of the signers of that historic document many were of Irish descent.

During the Revolution, it has been estimated that the Irish made up the largest element in General Washington's forces. When the British evacuated Boston on St. Patrick's Day, 1776, and the colonists marched victoriously into the city, the password of the day was "Boston" and its countersign "St. Patrick."

The Irish have influenced for the good every phase of American life—the church, the courtroom, the laboratory, the school, the marketplace, and the public platform. It is amazing to consider that of the 36 Presidents of these United States, 11 have proudly claimed their Irish blood. Andrew Jackson, Ulysses S. Grant, James Polk, James Buchanan, Chester A. Arthur, Grover Cleveland, William McKinley, Woodrow Wilson, Warren G. Harding, Harry S. Truman, and John F. Kennedy—all had Irishmen among their ancestry.

The untold contributions of the Irish people to this country cannot be measured. But, today, as Americans of every racial background and national origin wear a bit of green, we will remember with pride and special thanks the blessings of our Irish heritage and the spirit of St. Patrick.

ST. PATRICK'S DAY TRIBUTE

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. BOLAND. Mr. Speaker, the coming of St. Patrick to Ireland, 15 centuries ago, had a profound effect upon the destiny of that beautiful island. It also had far-reaching effects upon our entire civilized world.

St. Patrick gave to the Irish a deep and abiding faith in the teachings of Christianity. But he also gave them a passionate love of justice and freedom; and he gave them the love of knowledge.

When the dark ages settled over Europe, it was the enlightened sons of Ireland who turned their strength to the cultivation of letters and morals, to the preservation of ancient documents. It was they who became the teachers of literature, languages, astronomy, architecture, poetry, and music. From the fifth to the ninth century, Ireland led the the nations of Europe in keeping bright the lamps of learning, and earned, indeed, their title of the "Island of Saints and Scholars."

During the centuries to follow, every upsurge in the continuous Irish struggle for independence was followed by emigration of refugees to other lands. And, to the countries which received them they gave their abundant history, courage, talent, loyalty, and vibrant "spirit of St. Patrick."

Colonists from Ireland were among the first to settle on our North American Continent. Among the brave group who first landed with the *Mayflower*, history tells us there were passengers "of English, Dutch, French, and Irish ancestry, and thus typical of our national stock."

As early as 1737 there are records of St. Patrick's Day celebrations in my own State of Massachusetts; and in New York records of similar festivities go back to 1762.

During the Revolutionary War, the freedom-loving Irish were heavy contributors—both monetarily and physically. It is estimated that more than a quarter of Washington's forces were of Irish descent, and that they composed the largest element in the Continental Army.

When elected as a member of the Sons of St. Patrick, George Washington said:

> I accept with singular pleasure the ensign of so friendly a society * * * a society distinguished for the firmest adherence to our cause.

During the years since, the Irish immigration to this country has doubled and redoubled; and these warmhearted, energetic people have been a welcome and enriching addition to our population.

Today, in America, our citizens of Irish descent number more than 20 million; and almost 2 million among us were born on Irish soil. This great wealth of human talent has contributed to every field of American life. It is impossible to think of any area which the Irish have not blessed.

St. Patrick's Day holds special significance, not only for the Irish Americans, but for all of us. And today, I rise in proud tribute to them, to our Irish neighbors across the sea and to their beloved patron saint, St. Patrick.

ST. PATRICK'S DAY

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. FARNUM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FARNUM. Mr. Speaker, it is widely known that St. Patrick was not Irish. Every land that could possibly have a claim on him calls him its own today. But, like many among us of diverse nationalities, Bishop Patrick himself chose to become spiritually Irish out of affection for a people who were as appealing in his day as in ours.

The saying is that St. Patrick chased the snakes out of Ireland. He did more than that. Absent from Ireland are the dormouse, the water shrew, five species of troublesome bats found in nearby England, and all reptiles and amphibians except the gentle brown lizard, the velvet newt, the handsome natterjack, and an especially melodious species of frog.

He was careful to leave in Ireland animals unknown elsewhere, including the delightful stoat, the Irish dipper, and six species of char plus three of pollan. For their food and enjoyment, he left the liverworts and the marsh orchids.

It is a slander to describe those who greeted St. Patrick as wild men of the hills. History tells us that they were a people celebrated throughout the ancient world for attributes that mark many of their descendants today.

A very dear friend of mine, and a widely known Michigan citizen, Edward McNamara of the Livonia McNamaras, would not mind I feel sure, if I applied to him today Caesar's description of the Irish who put out the welcome mat for St. Patrick.

Caesar's praise was long and fulsome but it can be summed up by calling the Irish of his day a politically astute, judicious people. Which is a fitting description of Ed McNamara and of many others of my constituents who were born to wear the green.

Another ancient, Sotion, wrote of the reputation of the Irish as philosophers throughout the Roman-Greek world. Another of my good friends, C. Patrick Quinn, of the Union Lake Quinns, a lifelong fighter for freedom for any denied it, could hardly disagree with that. The land of "saints and scholars," he might say, had its role in the modern world foreshadowed in the ancient one.

C. Patrick Quinn might, indeed, go a step farther and, with a deep bow to St. Patrick, subscribe substantially to the ideas in the ethical doctrine honored in pre-Christian Ireland:

> Be pious toward God; do not do injury to anyone, and practice bravery.

Practicing bravery is one of the best things C. Patrick Quinn, and many others born to wear the green, do.

What has just been cited was the basic doctrine of Druidism as practiced in Ireland. Irish Druids were judges, teachers, seers. There is no mention that the Irish Druids ever engaged in such uncouth actions as practicing human sacrifice.

In Ireland, as Caesar noted, the Druids attributed immortality to the human soul. Druids studied as long as 20 years before feeling qualified to give judgments at ceremonies in the deep woods amid mistletoe, the yew, the rowan, and the hazel.

It was easy for followers of Irish Druidism to see the point in Bishop Partick's message. The fact is that St. Patrick arrived in the year 432 and by 439, only 7 years later, there was need for three additional bishops.

The debt that civilization owes Ireland since that date is well known and widely celebrated. It is not necessary again to tell of the cultural heritage left to us from the monastery scriptorium, from the work of the poet and bard, from the

craftsman famed throughout the ancient world for metalworking skills.

Another debt the world owes the Irish is for furnishing an example of fortitude under oppression. It is almost incredible to think that having welcomed an invader as a religious liberator in the year 1155, the Irish year after year, and decade after decade, and century after century afterward never faltered in attempts to throw off the yoke of oppression which had fallen upon them.

What they did in becoming the first small nation to gain freedom from a world power has inspired many other oppressed lands to push successfully struggles to gain the natural rights of man.

Let us be hopeful on this March 17, Mr. Speaker, that not only will the oppressed look to Ireland for inspiration but that also the oppressors will look to the Emerald Isle for something completely different, a warning. The warning is that when men love freedom, and are willing to sacrifice to attain it, the forces of evil cannot finally prevail.

VOTER, REGISTRATION

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I want to give notice to the House that I have introduced a bill, H.R. 6254, the purpose of which is to secure for all American citizens the right to vote, which is guaranteed in the Constitution.

It is a fact that today qualified Americans are prevented from voting because of the color of their skin and the guarantees of our Constitution concerning the political rights of citizens of the United States are being flaunted. This condition must not continue.

Both the Supreme Court and the Congress have clearly and overwhelmingly indicated their concept of the policy of the U.S. Government in the field of voting rights. The Congress in the Civil Rights Act of 1964 sought to place on the statute books legal sanctions which would make the voting right a practical rather than a theoretical one. Unfortunately, national intent and national good will and the good will of many people in the controversial States themselves have not been sufficient to bring about legal registration of all qualified citizens. For this reason it is necessary that the Congress now take further action to provide sufficient strength to frustrate the efforts of those who would circumvent the objectives which the civil rights bill put into law. President Johnson has eloquently stated the objectives of the administration and those who guide the Nation and I subscribe to them. I sincerely hope that my bill or similar legislation will pass so that it will no longer be possible in the 20th century to say that citizens of the United States are not allowed to vote because of an accident of birth.

RAIL FREIGHT CAR SHORTAGE

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ULLMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ULLMAN. Mr. Speaker, I introduce today legislation designed to relieve the detrimental shortage of railroad freight cars which continues to inflict hardship and economic loss on Oregon, the Pacific Northwest, and other national centers of lumber, farm, and mine production.

In 1964 the cumulative effect of freight car shortages, increasing steadily since World War II, forced the Interstate Commerce Commission to promulgate unprecedented emergency regulations which, in essence, brought about freight car rationing.

There appears to have been only minimal relief brought to this national problem by the Commission's orders. The daily average rail freight car shortage continues to be at a level of about 6,926 cars, of which 4,671 are boxcars.

The only permanent relief must come in new legislation.

The bill I introduce today, similar to that introduced in the other body by Senator MAGNUSON, provides incentive to railroad management to build the freight cars essential to our national need. It provides the Interstate Commerce Commission with the authority to fix a rental rate providing reasonable compensation to freight car owners, contribute to sound car service practices, and encourage the acquisition and maintenance of a car supply adequate to meet the needs of commerce.

The industries of my State of Oregon are deeply concerned with this problem in their shipments of lumber, grain, farm produce, and mineral products. It is of the utmost importance that this situation be rectified.

I urge the Congress to act with expediency to meet this pressing depressing effect on our economy.

CHARLES H. SILVER HONORED WITH BROTHERHOOD AWARD BY B'NAI B'RITH

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MULTER. Mr. Speaker, on Friday, February 26, 1965, my good friend, Charles H. Silver, executive assistant to the mayor of New York for education and industrial development, was given the Brotherhood Award of the Municipal Lodge of B'nai B'rith for his long standing and continuing contribution toward the upholding of the conviction that all men are brothers.

In accepting the award Mr. Silver made the following remarks, which are particularly appropriate in the light of the President's address Monday night:

ADDRESS BY CHARLES H. SILVER

My heart is too full to tell you how much I am moved by this tribute and the honor you have accorded me.

All my life, a prime guiding principle of mine has been the firm conviction that all men are brothers and should be treated with love and understanding—as respected members of the human family.

You, being members of a great fraternity, the Brotherhood of Israel—the B'nai B'rith—subscribe wholeheartedly to this humane philosophy first expressed by our ancient prophet who said:

"Undo the heavy burdens and let the oppressed go free."

No one has ever improved upon the words of this ancient teacher who also admonished all people "to turn their swords into plowshares, their spears into pruning hooks." To me, it seems a blessed omen that America's heritage of freedom goes back to the rich wellsprings of our ancient teachings,.

These envisioned an age, which civilization has been late in attaining, when mankind would conquer crime and disease, when social injustice would be wiped out, when peace would prevail among the nations.

The only trouble is that the prophet's hopes have been remembered but not heeded.

Let us brook no delusions concerning democracy's struggle. Our country is not even two centuries old. We are still a little young to lean back on our liberties and enjoy the fruits of leisure without realizing that we may have to fight again to preserve them. The American Revolution did not end in 1783. We are still in the midst of a revolution to achieve a true, well-defined, honest, and equal democracy.

The concept of a new and better way of life that was the vision of the Founding Fathers who framed our Constitution is just as vital to fulfill today. Consecrated in the quest for freedom, based on equality of opportunity and knit together in a fraternity which rejects distinctions of class, color, or creed, this continuing revolution, in which we all have a vital part, has yet to fulfill the full dimensions of democracy.

No, we are not perfect, but we are firm in our faith that the American commonwealth is the most workable instrument by which a people may govern itself that has yet been devised by the mind of man.

And, unless we who believe in democracy teach it to our children, the disbelievers will thrust our Nation backward toward intellectual slavery, economic inequality and racial bigotry.

Then, the fearmakers and the warmongers can move in for the kill.

Perhaps it is difficult for us, living as we do under the ominous shadow of the nuclear threat, to remember the exaltation of purpose that spurred our forebears in the days of Valley Forge, or Gettysburg, or even the beach at Normandy.

Perhaps the crisis that piles on crisis in each day's headlines permits us no time to reflect on the old ideals of character, public service and leadership, or to communicate them to the young.

I will admit that it is not easy to focus a child's mind on "the shot heard 'round the world" that happened long ago, at Lexington and Concord, when, today, someone

is shooting at the moon, and tomorrow they may be shooting at us.

There is, however, an urgent necessity, in my opinion, to groom young Americans with ethical understanding, as well as technical knowledge, to take their place in the growing war of nerves and ideologies.

It is time to teach them fundamental Americanism, and the time is terribly short—to dramatize the soul-stirring principles of democracy and to make them live if democracy is worth keeping alive.

We must rededicate ourselves to this precious asset, our men and women of tomorrow, widening the vistas of knowledge and fortfying a pride in their legacy of liberty.

For they must understand—and it is our job to make them understand—that America will remain the land of the free only so long as it remains the home of the brave.

Ours is a nation rich in the greatness of our people. But who are the people? They are no one master race. They have been drawn from every corner of the world by the magnet of the American dream. They have come from every land and every continent. They are English, German, Italian, Polish, Spanish, French, and everything else you can imagine. They are Catholics, Protestants, Quakers, Jews, and every other faith there is.

And this is the miracle of it—that, in this mammoth melting pot of individual liberty and collective security, they have been transformed by the magic formula of democracy into one great national family.

The law that thundered down from Sinai, the Word of God in the commandments and our holy books, the Psalms of David and the precepts of our sages, have all been treasured up and preserved in the pattern of government and principles of moral conduct embodied in the Constitution of the United States.

When I think of America, I marvel at the number of other lands which have contributed to the creation and development of this blessed country. It is like looking at a rainbow and realizing how many colors have fused and blended to fashion its blazing magnificence.

Today, despite the burning of libraries by those who bite the hand that feeds them, the most envied honor in the world is to be a citizen of the United States of America. This is true not alone because we are the greatest nation in the world, but because we are guardians of a sacred freedom that we are happy to share with others.

Brotherhood is part of our being every minute of every day—a beacon light for less fortunate lands, a rainbow that must never fade.

"Brotherhood" is not just a word. It is a way of life.

The spirit of brotherhood is not limited to any age or nation. It is no 7-day wonder whose observance is celebrated for a single week and then forgotten. Brotherhood is the eternal light of man's love and compassion for his fellow man. It is the flame, the soul, the conscience of humanity.

Keep brotherhood alive, so that liberty can never die—so that America may live as an eternal symbol of hope to all the peoples of the earth.

Let me close, as I began, with a heart full of gratitude to the officers and members of the Municipal Lodge of B'nai B'rith—and a humble "thank you" for a day I will never forget.

NEW YORK CITY IN CRISIS—PART XV

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues part XV of New York City in crisis.

This installment concerns the New York City police and the public and points up the difficulties for both in controlling crime in this city of 8 million people.

The article in the February 5, 1965, edition of the New York Herald Tribune follows:

THE POLICE AND THE PUBLIC: SOMETHING WENT WRONG

(By Barry Gottehrer)

In Manhattan, a landlord is slain by a tenant.

In Crown Heights-Flatbush, nine women are attacked in less than 3 months and citizens form a citizens' police force.

In the Bronx, a citizen's report of an open narcotics transaction in a small store draws an obscenity and no immediate action from the police.

In Queens, four women are raped in less than a month.

In Harlem, at 5 a.m., two uniformed policemen chat casually with the bouncer of an illegal afterhours bar while downstairs in the basement, within hearing distance, liquor is being sold and young prostitutes solicit openly.

In lower Manhattan, a taxi driver has his throat slashed by two youths.

In Brooklyn, a woman returns home to find her apartment burglarized and dials the police emergency number. It rings eight times without an answer. She tries again. It rings another eight times and still no answer. She tries once more. Finally, after another eight rings, the police answer the phone.

On the upper East Side, a woman sees a man expose himself in front of her upper income apartment house and brings it to the attention of the nearest policeman—standing across the street. "Sorry, lady," the policeman tells her politely, "that isn't my block."

DAILY OCCURRENCES

And in Westchester, a woman, one of the thousands of New Yorkers increasingly concerned and frightened about the increasing reports of violence in the city's streets, sends telegrams to the Governor, the mayor, and the police commissioner.

The Governor, through an aid, says it is the mayor's problem.

The mayor, through an aid, says, "Statistically, New York City as a whole is safer than most major cities in the United States."

And the police commissioner, through an aid, says he needs more men and is doing the best he can with the size of the force the mayor has allowed him.

These are not isolated incidents and these are not isolated complaints. They occur in this city of 8 million people every day of every week.

Of the many problems disrupting the present and threatening the future of this city, none is more critical than this growing concern and fear over the increase of fear and violence in the streets, the subways, the elevators and the parks of New York.

Despite the largest police force in the United States (at 25,858 members, double the size of Chicago's force, the second largest) including an increase of 7,000 during the three terms of Mayor Robert F. Wagner, the incidence of crimes of almost every variety continues to increase.

And what makes this all the more tragic is that no one—not the city government, not the police department and not the citizens of the city—seems willing to accept his share of the guilt and try to seek a cooperative solution.

FAILURE TO PERSUADE

The police department complains about its image and the fact the unsubstantiated charges of corruption, inefficiency and indifference make it so much more difficult for policemen to go about their jobs of preventing crime and protecting the citizens of this city (which is true).

Yet, except in rare instances, police officials fail to convince the citizens that they are making a sincere effort to investigate these charges of corruption, inefficiency, and indifference.

The citizens complain about the caliber and performance of the police and make frequent charges of corruption, indifference, and inefficiency.

Yet, except in rare instances, these same citizens refuse to step forward and name names, preferring instead to accept personal apathy over involvement.

In city hall, the mayor listens and listens—to citizens' complaints and fears and department requests for more money and men (1,000 more were requested at the last budget hearing)—and then places the problem back right in the lap of his commissioner.

And the end result of this growing lack of respect, this lack of cooperation, and this lack of concern has been an increasing breakdown in communications between the police and the people they are being paid to protect.

Yet this is by no means a one-way street.

If it is difficult for a citizen living in a city where the crime rate continues to rise and in a neighborhood where the threat of violence (whether real or imagined) continues to increase, it is certainly no easier for a policeman in this city of 8 million.

Like any other group of men and women, there are all types in the police department of the city of New York.

This is the story of one of them—Michael Coughlin, a foot patrolman assigned to the 71st precinct in the Crown Heights section of Brooklyn.

Mike is 33 years old and has been a cop for 9 years.

When he started, he earned $4,400 a year, moving up to $5,100 at the end of 3 years. Today, because of a series of raises, he earns $8,483 (a starting patrolman now receives $7,032), in addition to overtime (which he hasn't received except for the riots last summer), 11 paid holidays, a $185 clothing allowance, and hospital insurance.

"The mayor has been good to us," he says.

Mike Coughlin has won no awards and no special citations, and his name has never appeared in the newspapers for a spectacular arrest.

He is simply a good cop trying to do a good job.

In 9 years he has fired only five shots—all in the air, all in chase—and he has not found it necessary to make an arrest, in more than a year. His last arrest came after he had quieted a drunk who had wrecked a luncheonette.

CROWN HEIGHTS

He is a foot patrolman who has worked all 9 years out of the same precinct, which runs through the Crown Heights section of Brooklyn, near the troubled Bedford-Stuyvesant area, and he knows the streets and knows the people.

Normally a quiet area, Crown Heights burst into the newspapers last year with a series of nine rapes or attempted rapes in 3 months.

Citizens formed a special police force, and women were afraid to walk the streets or ride in elevators even during daylight. Then an arrest was made (the man has been indicted and is now standing trial) and, slowly, a semblance of peace returned to the neighborhood.

This night, a few weeks ago, Mike Coughlin was going to patrol the seven blocks along Nostrand Avenue, from Empire Boulevard to Eastern Parkway, a series of lower- to middle-income houses, dozens of small stores, five bars and fairly successful integration.

"The monotony is the worst part," he said. "When you first join the force, you think about catching some big crook and becoming a hero. But you learn. Most of the time, it's more of a matter of chasing kids away from a store or settling arguments.

"You've got to learn to live with it. You've got to learn not to overreact. There have been dozens of times when a woman screamed for help and she was only angry at some storekeeper. I could have rushed in there with my cannon out and scared the hell out of everybody in the store. You've got to learn to anticipate. You've got to know when something serious is happening. It takes time, but you learn. You have to—if you're a cop."

Yet—always in his thoughts—is the possibility of sudden violence, an unexpected moment destroying the monotony, and the necessity of using his gun.

"I wouldn't want to shoot anybody, but, as a cop, you know that one day you may have to," he said. "It's a tough thing. You think about it a lot. You have to when you arrive at work and someone tells you two of your buddies caught it the other night. But you can't let it bother you. You can't afford to."

For the first few hours of the tour, time moves slowly, very slowly, seconds and minutes of unrelieved walking accented by regularly scheduled calls into the station, one personal (for coffee and two cigarettes) and dinner (which he paid for himself).

During the time, he stopped two "suspicious" cars (neither was stolen), helped a blind man find his house, chased a group of noisy, intoxicated teenagers away from the front of a restaurant, and directed an intoxicated middle-aged woman back to a bar which, she said, she had lost.

YOUTH TROUBLE

"It's funny about people and their attitude toward the police," he says. "Police don't want to read about a cop who helped a lady who's fallen down a flight of stairs. That happens every day. That's not news. You can't work your 8 hours and go home to your family like everybody else. You've got to be a hero—like in the comics and in the movies.

"They just want us to be a thing. Well, we can't. We've got two arms and two legs just like everybody else. It really is a strange job. If you give a guy a ticket, people think you're a bum. If you don't and someone sees you, they think you shook him down. A cop just can't win."

To policemen, all over the city, one of the biggest problems today is the growing number of youths roaming the streets—drunk, arrogant, disrespectful, increasingly drawn to antisocial activities, narcotics and crime.

They are kids and the courts treat them like kids, putting them back in the street almost as quickly as the policeman can bring them in. The parents don't care about them, they don't care about themselves, and ultimately the cops don't care about them either—preferring to chase them into someone else's neighborhood rather than bring them in and have to spend a day or two in court.

This is a problem that troubles not only Mike Coughlin but every other policeman in the city. It has led to frequent repeaters and increasing police frustration.

"You bring a guy in for attempted rape or narcotics and, even if he's convicted, he's back out again before you know it," he says.

NO PROMOTION

The fact that a cop is still a foot patrolman after 9 years is not as unusual as it might seem. The fact that Mike Coughlin is still a foot patrolman after 9 years is extremely unusual. In 1961, the second time he took the test for sergeant, he was one of 1,000 who passed, finishing No. 653 out of 14,000.

Since promotions are made from the top of the list down, Mike should be a sergeant already. More than 550 men ahead of him have been promoted, and there are currently vacancies for another 150 sergeants.

It is not the commissioner who is holding up the promotions. The courts are.

A group of policemen who took the test and didn't pass brought suit, charging that several of the "correct" answers supplied by the civil service people, who made up the exam and graded it, were either incorrect or ambiguous.

The supreme court decided in their favor, and since March of 1964—pending a hearing this month—the commissioner's hands have been tied.

Though he missed all of the suspect questions anyway, Mike Coughlin may still lose out regardless of the decision. The list is supposed to stay in effect only until the next test is given later this year—at which time, regardless of the number of vacancies and the number of eligible candidates remaining, a new list is put into effect.

Because of this, it is not at all impossible that Mike Coughlin may be forced to take another test and, if he should pass, once again wait until he has reached the top of the list.

"Of course I'm not too happy about it," he says. "There were times, particularly after I learned that this job isn't as exciting as you think it is when you're young, when I thought about quitting. But once I passed that test for sergeant, I had made my mind up I wanted to stay a cop. I like my work and the pension is damn good (after 20 years, based on half-pay; after 30, based on three-quarters pay)."

AN ADDICT

At 9:30 Mike Coughlin's routine was broken for the first time. A probation officer was bringing in a 15-year-old boy, a narcotics addict named Victor, into the station house to frighten him for getting drunk on wine when suddenly the boy took advantage of a red light and tried to run away.

Mike Coughlin grabbed the youngster and, after questioning the probation officer and phoning in, escorted both of them to the station. From the moment he entered, it was obvious that the boy was frightened.

"Don't leave me here," he pleaded. "I know those bluecoats. I been in a police station before. I know those bluecoats. They took me in a room and beat me up. They're no good. They'll kill me. I know them."

"He must be drunk," said one of the desk policemen.

"He is drunk," said the probation officer, a youth worker. "You're drunk, Victor. You don't know what you're talking about. This is your last chance. I'm taking you home. Once more, and you're coming back here."

The boy had done nothing wrong and, as he walked out the door with the youth worker, Mike Coughlin shook his head.

"You hear kids say these things and you get angry," he says. "Sure, maybe some cops do things like that, but most of them don't. But all you got to do is have the people read about it in the papers and suddenly they're talking about cops being child beaters. You need the wisdom of Solomon for this job and, unfortunately, I haven't got it."

Back on his beat, time passed quickly now. He had just chased three drunken youngsters away from a luncheonette (he threatened to arrest one of them who had refused to listen) and now it was nearly 12 and time to call in for the last time.

He crossed the street to the callbox, turned, spotted a youngster walking up the street toward him—and suddenly the whole evening exploded.

SUICIDE ATTEMPT

It was Victor, the 15-year-old drug addict, his face, his black jacket, his white shirt and his trousers stained with his own blood.

At home, with his parents only a few rooms away, Victor had taken a razor and whittled five chunks out of his left arm and four out of his right.

Working quickly, Mike Coughlin called the station and sent in the call of an attempted suicide. He then removed the youth's jacket and, using his stick and his handkerchief on one arm and a borrowed pen and kerchief on the other, hastily fixed two tourniquets.

"You poor, sick, stupid kid," said Mike Coughlin.

Within minutes the squad car had arrived and, pushing into the back seat with the now weakened youngster, he started the race to Kings County Hospital, a few minutes away.

There, after turning the now unconscious boy over to the emergency staff, filling out a series of forms and waiting to be relieved by another policeman, Mike Coughlin headed back to the station.

It was now nearly 2 a.m., almost 2 hours after he should have been finished with a day's work. But here he was, oblivious to the blood that stained his trousers and coat, still filling out papers in the police station.

"How did it turn out?" asked a sergeant.

"I think we got the kid there in time," said Mike.

"I knew it," said the sergeant. "As soon as I saw that kid in here before, I knew he was a real loser. Hell, he couldn't even kill himself."

The sergeant laughed, the kind of laugh some people have come to expect from some policemen.

THE RECORD

Michael Couglin did not laugh. It had been a long evening and now, before going home, he read over the night's entry in his book.

"January 22, 1965 4–12.

"Post 33: Neal 7:45. Ring 31 (half hour).

"At 5:29 personal necessity at 990 Nostrand.

"At 5:50 returned.

"At 7:45 meal location 835 luncheonette.

"At 9:30 responded to dispute at Empire Boulevard and Nostrand Avenue. Dispute settled over once Victor [last name]. Male. White. Age 15. Taken home by his probation officer.

"At 11:50 aided case at Nostrand Avenue and Union Street. Victor [no last name]. Male. White. Age 15. Aided. Had cuts on both arms. Removed to KCH by RMP [radio motor patrol car] 612. UF 6 [aided case] and UF 61 [investigation report] prepared. Witnessed at Nostrand and Union by Barry Gottehrer. New York Herald Tribune. Mother notified and responded to KCH."

He finished reading, added his shield number and his signature, and closed his book. Another tour had ended, not quite the way it had begun, another day at the office finished.

"Some people just need someone to hate," he said. "If you do your job honestly, you're a bum or an idiot. If you don't, you're a thief or a loafer. You hear how people are worried about the increase in crime and the violence in the streets. Well, I'm worried, too. It's not our fault that rapists and murders are roaming the streets. People don't understand we're no different from anybody else."

Mike Coughlin is right. He is no different from anybody else.

What bothers many people is the fact that, as a policeman, he should be.

ST. PATRICK'S DAY

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. RODINO. Mr. Speaker, today our beloved Nation, truly a nation of immigrants, pauses in its labors to pay tribute to one of the major sources of our strength, character, and hope—the Irishman. True, we memorialize specifically the death 1,504 years ago of the patron saint of Ireland; but through our salute to St. Patrick, our tribute is to all from his land who live amongst us.

Eight years ago, one of the greatest of our Irish-American brothers, speaking a few miles away in Baltimore, said:

> Ireland's chief export has been neither potatoes nor linen, but human freedom. Throughout its history, its exiles and emigrants have fought notably with sword and pen for freedom in other parts of the globe.

The speaker himself had already done this, and in his future position was to continue doing so. This Nation, this world is the better place for his having passed through, even as his forefather's nation and the world was the better for St. Patrick's having been there. His good-humored modesty might object that I link him in the same breath with the saint of Ireland, but I know that saint would be happy to share our tribute with John Fitzgerald Kennedy.

When it comes to choosing the words to pay this proper tribute, we who are not of Erin origin should take our cue from those who are. None has described better the struggle of the Irish to become the great Americans they are than Leonard Patrick O'Connor Wibberley, the author of "The Coming of the Green":

> The Irish immigrants did what every foreign group must do to win the name American. They fought with an unrelenting courage in the economic, political, and military battles of the country. They would not give an inch. They were despised and rejected and discriminated against, but they did not make this an occasion for wailing, but only fought the harder.
>
> They did not desert their faith, once so unpopular, in order to gain acceptance.
>
> The slums did not hold them. The mines did not break them. They were not lost building roads and canals in the wilderness. They were not defeated at the foot of Marye's Heights.
>
> It was a grand battle, indeed.

The lesson of the Irish is an inspiration for us all. Their triumph yesterday over prejudice, poverty, and discrimination should serve as an example for today and tomorrow for peoples of all minorities in our midst. We can legislate, and we should, to insure that America can remain a nation of immigrants, and that those immigrants, once they are Americans, will have all the rights and the privileges of their brother citizens. But with their rights and privileges, let all those citizens remember well and follow the shining example of their Irish brothers of accepting the full responsibility that goes hand in hand with privilege.

It augurs well that they will. Already in moving to my new offices, I have been welcomed into the Celtic corridor, where two gentlemen from New York [Mr. ROONEY and Mr. DELANEY] and one from Massachusetts [Mr. DONOHUE] share the rule with the lady from New York [Mrs. KELLY]. And not a one of them has even suggested that I put the o before my name instead of after. As if this were not enough, we are seeing today the greatest snowfall in recorded Washington history for this anniversary of the good St. Patrick.

This is quite a year. We must therefore trust that it will be a year of significance to all Americans and that the luck of the Irish will attend all who follow the example of the Irish.

ALL ABOUT SOCIAL SECURITY

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. STAGGERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. STAGGERS. Mr. Speaker, the Second Advisory Council on Social Security, appointed in 1963 in compliance with the requirements of the Social Security Act of 1956, has just made its report. The job of the Council is to review the status of the system "in relation to long-term commitments of the social security program and to make a report of its findings and recommendations, including recommendations in the social security tax rates." It is composed of non-Government official members, including high officials of industrial organizations, an insurance company actuary, a practicing physician, dean of the faculty of Princeton University and other distinguished university men dealing with law and industry, and representatives of labor organizations. It is not in the interest of any of these to fool anybody. The report states:

> In all its considerations a primary concern of the Council has been the financial soundness of the program.

The conclusion reached by the Council after a year and a half of study is:

> The social security program as a whole is soundly financed, its funds are properly invested, and on the basis of actuarial estimates the Council has reviewed and found sound and appropriate, provision has been made to meet all the costs of the program both in the short run and over the long-range future.

The use of the phrase, "as a whole," requires a little explanation. Total contributions to the program are allocated to two separate funds: First, the disability insurance program; and, second, the old-age and survivors' insurance program. The first part is slightly underfinanced, about 0.06 percent of covered payroll; the second part is becoming overfinanced, to a greater percent of covered payroll. The Council suggests a reallocation to the two funds.

The Council meets the charge of "actuarial unsoundness" in the social security system head on. A private insurance company depends on voluntary additions to its policyholders. It cannot be sure that it will ever sell another policy. Therefore, to be "actuarially sound," it must possess sufficient assets to pay off every cent of its obligations to its present policyholders under the terms of the policy. On the contrary, the social security program is compulsory. As long as the system is kept on the statute books, new members of the system will be added as new workers take up employment.

> A compulsory social insurance program is correctly considered soundly financed if, on the basis of actuarial estimates, current assets plus future income are expected to be sufficient to cover all the obligations of the program; the present system meets this test.

There is, of course, one contingency under which the social security system would blow up in our faces, though the Council does not mention it. If the National Government should be overthrown by disorder or violence, whether internal or external, social security would be one of the things lost. Others would be your lands and houses, your stores and your factories, your bank accounts and your investments. Private insurance companies would lose the assets on which they depend for soundness. But it is conceivable that a new government formed on the wreckage of the old might retain some parts of the social security in its own interests.

The Council considers all possible variations in economic activity that might occur over a long period of years. That period is fixed as 75 years; beyond that period it is useless to make calculations; conditions at that time might be entirely different. Current economic growth might continue during the next few decades at its present rate; it might accelerate; there might be depressions. The effect of each of these possibilities is estimated and suggestions made for dealing with them.

Likewise, costs of the system in the form of payments of disability insurance benefits and of old-age and survivors benefits may vary from the experience of the system up to this time. The effect of such variations are also considered and evaluated. The conclusion reached after all these allowances have been made is still that the program is soundly financed.

Under the present social security law, payroll deductions are scheduled to be raised to 4⅛ percent of insurable earnings in 1966, and to 4⅝ percent in 1968. The Council believes that the increase is more than is needed to maintain financial soundness under present conditions. It suggests a somewhat smaller increase, with provision for periodic reevaluation as conditions change.

The printed report of the Council furnishes pertinent and understandable discussion of various proposals for improving the system. Read the whole report if you are interested and if you wish to be armed with facts. Meanwhile, go to sleep at night and forget

about the dire forebodings of those of the extreme left and the extreme right who are continually attacking our Government.

ADDRESS BY GOV. EDMUND G. BROWN, FIFTH ANNUAL COMMUNITY SERVICE AWARDS DINNER, AERONUTRONIC DIVISION, PHILCO CORP., NEWPORT BEACH, ORANGE COUNTY, CALIF.

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HANNA. Mr. Speaker, we were honored recently to have California's Governor, Edmund G. Brown, deliver the principal address at the fifth annual Community Service Awards Dinner, which is conducted each year by Philco Corp.'s aeronutronics division. The Governor's comments on this occasion are worthy of attention by all Members of Congress and I, therefore, request unanimous consent to have them included in my remarks today:

ADDRESS BY GOV. EDMUND G. BROWN, FIFTH ANNUAL COMMUNITY SERVICE AWARDS DINNER, AERONUTRONIC DIVISION, PHILCO CORP., NEWPORT BEACH, ORANGE COUNTY, CALIF.

There is no more beautiful part of this State than Orange County—from the mountains to the beautiful, sunny Pacific beaches; from the regal early Spanish missions to the sleek architecture of modern electronic firms. And today, we have had a long, full day to enjoy all of it.

It began with a press conference this morning in Santa Ana and continued with a brunch held by the Democratic women of Orange County. Later there was a tour of Fairview State Hospital, where we could see at firsthand all that this community is doing to help with the difficult and challenging State program of mental health. And tonight, I am honored to join you at this fifth annual Community Service Awards dinner.

As Governor, I am proud of the cooperation between government, private industry, and individual citizens in this community. Certainly, Aeronutronic is making a contribution which benefits the entire State.

It is less than 10 years since Ford established aeronutronic as evidence of a continuing commitment to the strength of the Nation and the free world.

The division began with a small staff of high-level scientists and engineers. Today it employs more than 3,000 people in this great facility—a unique plant in a unique industry.

Aeronutronic is solid evidence that California has the skill and imagination to be an industrial leader in the future. You are experts in weapons systems and radar and reentry and space systems. And at the same time, you are developing new products that have little to do with space and defense. The same company that can devise the system to permit a space capsule to reenter the atmosphere is also developing a dental X-ray film processor that can dry X-ray film in 60 seconds.

I call that progress of the kind we need most—and I believe it is grounds for great optimism about the future of our whole economy.

In this room tonight I see other visible evidence of sound reasons for faith in California's continued development. I speak of the selfless public service of Orange County citizens, and particularly the Aeronutronic employees whom you are honoring tonight.

As one example, let me mention Mrs. Irene Slap, the wife of the program supervisor in your Shillelagh program. When we visited Fairview this afternoon I, heard about the group of volunteer wives organized by Mrs. Slap and the splendid work they have been doing in a ward of about 80 retarded boys. I know that she has been doing other community work deserving of honor. But to stretch out a hand to a retarded child is the finest kind of public service I can think of—and Mrs. Slap, we salute you and the members of your group.

The same kind of tribute is justly being paid to the other winners of the community service awards. Let me just say that I don't care whether you are Republicans or Democrats. You are making a major contribution to building a State that is under the greatest pressure of any State in history.

Now, I didn't come here tonight to weigh you down with long lists of growth statistics. No resident of Orange County needs them. All you have to do is take a drive from Los Angeles to Anaheim—or along the coast from Seal Beach to San Clemente. You know that by the middle of this year, Orange County will be the second largest county in California.

I want to talk to you about your leadership tonight. But first, let me say a word about the state of the State of California.

We are proud to tell you that in almost every major category California has just completed the best year in its history.

Statewide, employment exceeded 6,600,000, nearly 200,000 higher than in 1963.

Personal income reached a record high—$56 billion, or more than 11 percent of the national total.

Per capita income was up 4 percent and corporate and farm income both reached all-time highs.

And this record is going to be reflected in Orange County, as the director of economic research for the Bank of America recently predicted.

Dr. Charles Haywood was right when he said that an "almost unbelievable story" is taking place in Orange County—where he predicted that you would have 10 percent of the gain in population for the whole State during the next 10 years. Personal income is expected to double twice as fast as the population, and employment should increase by almost a quarter million, to 530,000 jobs by 1975.

Now, you may well ask, what is the basis for our expectations that we are moving into a highly prosperous decade, in this county and throughout the State? Here is my answer.

People will continue to come to California because of the excitement of doing new and different things. They will come to take part in—and contribute to—a society which places a high value on skills and on education. And California will continue to prosper because the State government will meet the needs of a population surge never before seen in western history.

It is our job, right now, to meet those needs in Sacramento. Because of that need, for the first time in 6 years, we are asking an increase in State revenue.

And I would like to give you a brief accounting of the pressures which are forcing up the costs of government. The first pressure is education.

Since the last tax increase in California, the number of students in public schools has increased 50 percent. The number of students in our State colleges has doubled and the University of California population has gone up 65 percent. The second is urban growth.

In recent years, California has steadily increased its financial assistance to local governments to help them deal with traffic, smog, crime, water development, and other problems. Today, our State government leads the Nation in aid to local government with 65 percent of our budget dedicated to that purpose.

Third, the age of technology has brought swift change in many governmental activities. The new math requires new books; airports become obsolete; highways must be rebuilt; we have found new and better—but more expensive—ways of treating retarded children and the mentally ill. These are costly but necessary programs.

Although our economy has also been growing, it cannot produce enough tax revenues to make the investments we need to continue what the State is doing in education, water development, freeways, and other programs.

The result is that we have asked for a tax program to meet those needs—and there are people who will tell you this is a terrible thing. Actually, it will amount to another nickel on a package of cigarettes—some increased taxes on inheritances—and the long-overdue withholding system which requires no increase in either rates or added taxes.

In other words, the impact on the individual for his share of high-level governmental service will be moderate. And the fact is that we cannot afford not to make these investments.

Right now, I'd like to give you a few examples of what they mean in relation to Orange County.

First, the university: I do not know of a more magnificent achievement anywhere than that which is being accomplished today on the University of California's Irvine campus. This fall, the campus will open its doors to about 1,500 students. The university plans a steady growth to an enrollment of 27,500 by 1990.

Nearly $20 million in construction is in progress on the campus. The buildings already rise as high as five stories and can be seen across the rolling ranchland 3 miles inland from the ocean and Newport Beach.

About 70 of the faculty of 120 have already been appointed—all distinguished scholars, the cream of the academic community of this Nation.

This great campus will bring deepened intellectual strength to an area which already has three junior colleges and three senior colleges. Along with the $300 million industrial master plan adopted by the Irvine Co., it will enrich the intellectual atmosphere; and it will help draw more firms, research and others, seeking locations close to academic centers.

Let me emphasize that we will need both public and private support in the future if the university is to fulfill its mission in a free society. We want to encourage private grants which supplement the legislative appropriations. And the pattern has been set on the Irvine campus, for which the original 1,000 acres were donated by the Irvine Co. I would further commend Aeronutronic as one of the Orange County industries that has made major contributions to the Irvine campus in the form of scholarships, gifts, time, and talent.

Many of you who are present tonight have taken part in those contributions, and as Governor I commend you for public-spirited action that benefits the entire State. Chancellor Dan Aldrich also merits our warm congratulations.

Second, water: The best comment we can make on the water picture in Orange County is: "Prognosis—positive"—and for this many people deserve great credit.

Officials of the Orange County Water District should be congratulated. They have successfully fought to a standstill the overdraft of ground water in the vital Santa Ana

River ground water basin. By percolating 350 billion gallons of imported Colorado River water into the basin, you have restored the water table to its highest level in three decades. By using the pump tax to finance water importation, and by outstanding feats of engineering, you have assured the water supply for the present.

In addition, excellent progress is being made toward erecting a water pressure barrier against the incursion of salt water from the ocean along the Orange County coastline.

I further note with pleasure the completion of the massive grid of new feeder pipelines which now cross Orange County. They bring Colorado River water from the MWD filtration plant near Yorba Linda to the San Joaquin Reservoir almost at the coastline near the Irvine campus. In like manner the water goes south to Palisades Reservoir, serving San Clemente, Dana Point, and Capistrano Beach.

Another cause for gratification: An ample supply of Colorado River water is now reaching thirsty outlying areas, such as Silverado, Modjeska, and Trabuco. For years, they were isolated from substantial water sources—but that is all changed. Residents of these once dusty areas, at the mercy of fires, now enjoy new safety and prosperity which they assured for themselves by bond enactments.

That adds up to a fine record of local initiative. It means that this metropolitan center will have adequate water to tide you over without hardship until the arrival of surplus northern water from north of the Tehachapis.

The State water project is one accomplishment that I was determined to make when I was elected Governor in 1958. For 10 long years, California had been waging a virtual civil war over water. And I pledged to the people of California that we would stop talking and start building.

We fought hard to win passage of the Burns-Porter Act in 1959. We fought just as hard to win the support of the people for the water bond issue in 1960. And, with the magnificent support of Californians in both political parties, we won both battles.

Already, the State water project has proved itself. During the floods last December, Oroville Dam, only half completed, saved the lives and property of countless Californians.

It is a proud day for me to be able to tell you that the Tehachapis are already being pierced by the first of the tunnels which will bring you surplus northern water by 1971. That source will almost triple the overall water supply available to Orange County. And the project itself will mean new flood control, new recreation, and a new source of prosperity for all parts of California—north and south.

Third, conservation: The 46 miles of shoreline and 2,300 acres of beaches in Orange County have been compared to the Riviera—but the fact is they are second to none in the world.

The State is well aware that Orange County is one of the most important recreational centers in the United States. We think it is important that visitors spend some $160 million here on recreation every year. And we think it is just as important that these areas be preserved to restore and refresh man's spirit.

Let me give you one or two examples of what we are doing to put that belief to work.

The budget now before the legislature for 1965–66 provides three-quarters of a million dollars to construct and equip a conservation camp for the division of forestry.

Almost $200,000 is provided for Doheny State Beach.

San Onofre Beach, at the northern boundary of Camp Pendleton, is being declared surplus by the Federal Government. We are negotiating with the Federal Government now to obtain a leasehold interest on these lands. When we obtain it, it will provide high-use recreational facilities adjacent to the southern border of the county. It will give us slightly more than a mile of additional public beach. We hope to improve the facilities at Huntington Beach as well.

Fourth, highways: In 1959, we adopted a master plan for highway construction. It is making excellent progress. It means that in 1980 we will have less traffic congestion and greater traffic safety, although the number of motor vehicles will more than double. Let me give you a few examples of progress here in Orange County.

The important Katella Avenue Interchange on the Santa Ana Freeway will be completed in the spring of next year, timed with the opening of the Los Angeles Angels' new stadium.

The San Diego Freeway, completed from the Golden State Freeway north of San Fernando to the Orange County line, is under construction to Costa Mesa.

The Garden Grove Freeway, which will connect the Pacific Coast highway in Long Beach with the Newport Freeway, is completed, under construction, or budgeted for all but a mile at its western end.

The Newport Freeway has been completed between the Riverside Freeway near Peralta Hills and south of the Santa Ana Freeway. It is under construction south to Costa Mesa near the county airport. Design is underway for the rest of this important freeway to the coast.

The Riverside Freeway is in service between the Santa Ana Freeway and Anaheim.

These and other projects will combine Orange County's freeways into an integrated system. We want them to offer motorists a wide choice of routes—and we want them to continue to enhance the prosperity of this community.

My friends, the hour grows late and I cannot detain you with an accounting of each and every action which we are taking to preserve this State's beauty, and at the same time move with confidence into the future.

I have faith in that future. I have it because I see here in this county the very qualities that the State needs to make new breakthroughs in our complex and technological age.

Leadership in education—in research and development—in science and engineering—has made California a pioneer in aerospace and defense. As the national patterns of defense shift and change, we will need these very qualities to maintain our leadership in the future.

Already, the State has asked aerospace firms to put their engineers to work in solving the problems of mankind—transportation, air and water pollution, delinquency and crime. This great pioneer effort will be broadened. We must seek new ways to direct part of our resources from preparation for warfare to the improvement of our welfare—from defense against our foreign enemies to an offensive against our domestic problems.

I ask you tonight to join in seizing the opportunity of the new technology. It can be an instrument not only for great prosperity, but for social advance on a scale unknown in history.

California is the window of the future. We are the national leader in education, the pioneer in science, and technology. With the joined forces of firms like Aeronutronic—of our great universities and colleges—of private citizens like those we honor tonight—we can lead the way.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. BOLAND (at the request of Mr. CRALEY) for today, March 17, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. LANDRUM, for 1 hour, on tomorrow, March 18.

Mr. PATMAN, for 60 minutes, on Tuesday, March 23; to revise and extend his remarks and to include extraneous matter, vacating his special order for tomorrow, Thursday, March 18.

Mr. PATMAN, for 60 minutes, on Thursday, March 25; to revise and extend his remarks and to include extraneous matter.

Mr. DICKINSON, for 1 hour, on Thursday, March 18.

Mr. MATSUNAGA (at the request of Mr. ADAMS), for 30 minutes, on March 18; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. YATES.

Mr. WELTNER.

Mr. RIVERS of Alaska.

(The following Members (at the request of Mr. DICKINSON) and to include extraneous matter:)

Mr. DUNCAN of Tennessee.

Mr. CLEVELAND.

Mr. FINO.

Mr. EDWARDS of Alabama.

(The following Members (at the request of Mr. ADAMS) and to include extraneous matter:)

Mr. KING of Californa.

Mr. MONAGAN.

Mr. CAMERON.

Mr. MURPHY of New York.

ADJOURNMENT

Mr. ADAMS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 42 minutes p.m.), the House adjourned until tomorrow, Thursday, March 18, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

754. A communication from the President of the United States, transmitting a draft of proposed legislation entitled "A bill to enforce the 15th amendment to the Constitution of the United States" (H. Doc. No. 120); to the Committee on the Judiciary and ordered to be printed.

755. A communication from the President of the United States, transmitting a draft of proposed legislation entitled "A bill to amend the Bretton Woods Agreements Act to authorize an increase in the International Monetary Fund quota of the United States" (H. Doc. No. 121); to the Committee on Banking and Currency and ordered to be printed.

756. A letter from the Secretary of Agriculture, transmitting a report on a violation resulting from overobligation of an administratively subdivided apportionment in the

Forest Service, Department of Agriculture, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

757. A letter from the Administrator, Housing and Home Finance Agency, transmitting a report covering the activities and accomplishments of the voluntary home mortgage credit program for calendar year 1964, pursuant to the provisions of the statute creating the program; to the Committee on Banking and Currency.

758. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to require the registration of pistols in the District of Columbia, and for other purposes"; to the Committee on the District of Columbia.

759. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled "A bill to validate certain payments to employees of the Forest Service, U.S. Department of Agriculture"; to the Committee on the Judiciary.

760. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions of certain aliens which the Service has approved according the beneficiaries of such petitions first-preference classification under the provisions of section 204(c) of the Immigration and Nationality Act, as amended, and pursuant thereto; to the Committee on the Judiciary.

761. A letter from the General Counsel, Department of Commerce, transmitting a statement relative to a study, report, and recommendations concerning U.S. participation in the Alaska Centennial Celebration; to the Committee on the Judiciary.

762. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting several communications concerning actions taken by legislatures in Brazil and Colombia on the subject of the failure of the U.S. Congress to pass legislation permitting the United States to implement its obligations under the International Coffee Agreement; to the Committee on Ways and Means.

763. A letter from the Chairman, Atomic Energy Commission, transmitting a request that pending legislation (H.R. 3597) authorizing fiscal year 1966 appropriations for the Atomic Energy Commission be amended by substituting a revised section 107, high-temperature gas-cooled power reactor, for section 107 in the original bill; to the Joint Committee on Atomic Energy.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Joint Economic Committee, Congress of the United States. Report of the Joint Economic Committee, 1965 (Rept. No. 175). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 5688. A bill relating to crime and criminal procedure in the District of Columbia; without amendment (Rept. No. 176). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. First report on Government weather programs (Rept. No. 177). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Second report on satellite communications (Rept. No. 178). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Third report on submissions of agency accounting systems for GAO approval (Rept. No. 179). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Fourth report on certain procurement matters (Rept. No. 180). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 3584. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; with amendment (Rept. No. 181). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 5883. A bill to amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act; without amendment (Rept. No. 182). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLMER: Committee on Rules. House Resolution 277. Resolution providing for consideration of H.R. 4527, a bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishment for the Coast Guard; without amendment (Rept. No. 183). Referred to the House Calendar.

Mr. DAWSON: Committee on Government Operations. H.R. 4623. A bill further amending the Reorganization Act of 1949; without amendment (Rept. No. 184). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H.R. 6389. A bill to amend the Bankruptcy Act and the Civil Service Retirement Act with respect to the tenure and retirement benefits of referees in bankruptcy; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 6390. A bill to amend the Social Security Act to increase benefits under the Federal old-age, survivors, and disability insurance system, to increase the amount of earnings counted for benefit and tax purposes, and to raise the ceiling on the amount an individual is permitted to earn without suffering deduction from benefits under such act; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 6391. A bill to approve the estimate of cost of completing, and to revise the authorization of appropriation for, the Interstate System; to the Committee on Public Works.

By Mr. CONABLE:

H.R. 6392. A bill to amend title II of the Social Security Act to permit the payment of disability insurance benefits to an individual from the beginning of his disability; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 6393. A bill to amend the Clayton Act by making section 3 of the Robinson-Patman Act a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act; to the Committee on the Judiciary.

By Mr. DUNCAN of Tennessee:

H.R. 6394. A bill to provide for the return of obscene mail matter; to the Committee on Post Office and Civil Service.

H.R. 6395. A bill to repeal the retailers excise taxes on jewelry, furs, toilet preparations, and luggage and handbags; to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 6396. A bill to control sales of intoxicating liquors in the bottle at military establishments; to the Committee on Armed Services.

By Mr. LANGEN:

H.R. 6397. A bill to amend titles I and XVI of the Social Security Act to liberalize the Federal-State programs of health care for the aged by authorizing any State to provide medical assistance for the aged to individuals eligible therefor (and assist in providing health care for other aged individuals) under voluntary private health insurance plans, and to amend the Internal Revenue Code of 1954 to provide tax incentives to encourage prepayment health insurance for the aged; to the Committee on Ways and Means.

By Mr. McDOWELL:

H.R. 6398. A bill to amend title 38 of the United States Code to authorize wartime benefits for veterans who, during peacetime, have engaged in hostilities overseas in furtherance of the Nation's interests, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. McGRATH:

H.R. 6399. A bill to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities; to the Committee on Banking and Currency.

By Mr. CELLER:

H.R. 6400. A bill to enforce the 15th amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. McGRATH:

H.R. 6401. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

By Mr. MATTHEWS:

H.R. 6402. A bill to amend title III of the Bankhead-Jones Farm Tenant Act, as amended, to provide for additional means and measures for land conservation and land utilization, and for other purposes; to the Committee on Agriculture.

H.R. 6403. A bill to amend Public Law 88–573, to permit the Farmers Home Administration to expend certain appropriated funds for recreational development; to the Committee on Agriculture.

By Mr. MIZE:

H.R. 6404. A bill to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, to improve the public assistance programs under the Social Security Act, and for other purposes; to the Committee on Ways and Means.

By Mr. NELSEN:

H.R. 6405. A bill to amend titles I and XVI of the Social Security Act to liberalize the Federal-State programs of health care for the aged by authorizing any State to provide medical assistance for the aged to individuals eligible therefor (and assist in providing health care for other aged individuals) under voluntary private health insurance plans, and to amend the Internal Revenue Code of 1954 to provide tax incentives to encourage prepayment health insurance for the aged; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 6406. A bill to provide for appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices; to the Committee on Post Office and Civil Service.

By Mr. RUMSFELD:

H.R. 6407. A bill relating to rates of postage on certain materials for blind persons; to the Committee on Post Office and Civil Service.

By Mr. SECREST:

H.R. 6408. A bill to amend title 38, United States Code, so as to revise the rates of disability and death pension, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6409. A bill to amend section 502 of title 38, United States Code, to liberalize the disability determinations for pension purposes; to the Committee on Veterans' Affairs.

H.R. 6410. A bill to amend section 503 of title 38, United States Code, to provide that certain incomes be excluded from determinations of annual income for pension, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SICKLES:

H.R. 6411. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

H.R. 6412. A bill to authorize the Secretary of the Interior to acquire certain land for addition to Greenbelt Park, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SISK:

H.R. 6413. A bill to provide for the withdrawal of wine from bonded wine cellars without payment of tax, when rendered unfit for beverage use; to the Committee on Ways and Means.

By Mr. STRATTON:

H.R. 6414. A bill to adjust the tax rates on light sparkling wines in relation to those imposed on other wines; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 6415. A bill to provide a wheat program for 1966 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. BENNETT:

H.R. 6416. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. BUCHANAN:

H.R. 6417. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 6418. A bill to amend the Internal Revenue Code of 1954 to remove all limitations upon the amount of the deduction allowed a taxpayer for medical, dental, and related expenses; to the Committee on Ways and Means.

By Mr. BURKE:

H.R. 6419. A bill to amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty; to the Committee on Ways and Means.

By Mr. BURTON of Utah:

H.R. 6420. A bill to amend section 610 of title 38, United States Code, to authorize the furnishing of hospital care at Veterans' Administration facilities for Gold Star Mothers; to the Committee on Veterans' Affairs.

By Mr. CALLAN:

H.R. 6421. A bill to provide a wheat program for 1966 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. DON H. CLAUSEN:

H.R. 6422. A bill to strengthen and improve the educational opportunities of educationally deprived children, and to provide additional revenue sources for States, school districts, and educational institutions by means of tax credits and payments to individuals who must meet the costs of education; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 6423. A bill to authorize the Secretary of Agriculture to cooperate with States and other public agencies in planning for changes in the use of agricultural land in rapidly expanding urban areas and in other nonagricultural use areas, and for other purposes; to the Committee on Agriculture.

H.R. 6424. A bill to strengthen intergovernmental relations by improving cooperation and the coordination of federally aided activities between the Federal, State, and local levels of government, and for other purposes; to the Committee on Government Operations.

By Mr. KASTENMEIER:

H.R. 6425. A bill to amend the Agricultural Act of 1949, as amended, relating to price support for milk and butterfat, to encourage consumption of dairy products, particularly butter, by payments on manufacturing milk and cream, and for other purposes; to the Committee on Agriculture.

By Mr. KING of California:

H.R. 6426. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. KORNEGAY:

H.R. 6427. A bill to repeal the excise tax on communications; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 6428. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ROSENTHAL:

H.R. 6429. A bill to amend section 3 of the Federal Property and Administrative Services Act of 1949 to provide that excess property located in Guam shall not be treated as foreign excess property; to the Committee on Government Operations.

By Mr. SCHISLER:

H.R. 6430. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. SCHNEEBELI:

H.R. 6431. A bill to amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 6432. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BLATNIK:

H.R. 6433. A bill to provide for a flat fee for services performed in connection with the arrival in, or departure from, the United States of a private aircraft or private vessel, and for other purposes; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 6434. A bill to strengthen the financial condition of the employees' life insurance fund created by the Federal Employees' Group Life Insurance Act of 1954, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DIGGS:

H.R. 6435. A bill to enforce the 15th amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H.R. 6436. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. HALPERN:

H.R. 6437. A bill to enforce the 15th amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 6438. A bill to authorize any executive department or independent establishment of the Government, or any bureau or office thereof, to make appropriate reimbursement between the respective appropriations available to such departments and establishments, or any bureau or office thereof; to the Committee on Government Operations.

By Mr. HARVEY of Indiana:

H.J. Res. 387. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. JARMAN:

H.J. Res. 388. Joint resolution authorizing the President to invite the States of the Union and foreign nations to participate in the International Petroleum Exposition to be held at Tulsa, Okla., May 12 through 21, 1966; to the Committee on Foreign Affairs.

By Mr. DANIELS:

H.J. Res. 389. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. MULTER:

H. Con. Res. 355. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

118. By the SPEAKER: Memorial of the Legislature of the State of Maine, memorializing the President and the Congress of the United States relative to proposing abolition of futures trading of potatoes on the New York Mercantile Exchange, and requesting support for the agricultural conservation program and the Soil Conservation Service; to the Committee on Agriculture.

119. Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States relative to exercising their powers to assure the citizens of Alabama their constitutionally guaranteed franchise and civil rights; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GLENN ANDREWS:

H.R. 6439. A bill for the relief of Mrs. Eusthathia Demopoulou; to the Committee on the Judiciary.

H.R. 6440. A bill for the relief of John Raymond Witt; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 6441. A bill for the relief of Arthur C. Berry and others; to the Committee on the Judiciary.

By Mr. EVINS of Tennessee:

H.R. 6442. A bill for the relief of Rocky River Co. and Macy Land Corp.; to the Committee on the Judiciary.

By Mr. GURNEY:

H.R. 6443. A bill for the relief of Dr. Antonio U. Catasus; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 6444. A bill for the relief of Antonios Stamatios Stampelos; to the Committee on the Judiciary.

By Mr. HORTON:
H.R. 6445. A bill for the relief of Shahin Hakim; to the Committee on the Judiciary.
H.R. 6446. A bill for the relief of Sylvia Khatchadourian; to the Committee on the Judiciary.
By Mr. POWELL:
H.R. 6447. A bill for the relief of Juan J. Narango; to the Committee on the Judiciary.
H.R. 6448. A bill for the relief of Wilma Wilkes; to the Committee on the Judiciary.
By Mr. ROSTENKOWSKI:
H.R. 6449. A bill for the relief of Miss Desanka Curcic; to the Committee on the Judiciary.
By Mr. SCHWEIKER:
H.R. 6450. A bill for the relief of Florence McKennis; to the Committee on the Judiciary.

By Mr. TENZER:
H.R. 6451. A bill for the relief of Abraham Bataan and his wife, Helena Bataan, and their minor children, Mordechai Bataan and Mira Bataan; to the Committee on the Judiciary.
By Mr. O'HARA of Illinois:
H.R. 6452. A bill for the relief of James (Demetrios) Baciliss Dovas (Ntovas); to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

131. By Mr. STRATTON: Petition of the Auburn Aerie No. 96, Fraternal Order of Eagles, requesting Members of Congress to adopt legislation outlawing discrimination in employment based on age; to the Committee on Education and Labor.

132. Also, petition of the Village Board of Trustees of Penn Yan, N.Y., opposing the closing of the Veterans' Administration Center at Bath, N.Y.; to the Committee on Veterans' Affairs.

133. By the SPEAKER: Petition of president, Club for Preservation U.S.A., Blanchester, Ohio, petitioning consideration of resolution with reference to favoring the prohibition of the sale of any scrap metal to any country that might convert same to war materials for use against America, and comments on other legislation; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Famous Last Words

EXTENSION OF REMARKS
OF
HON. JOHN J. DUNCAN
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 17, 1965

Mr. DUNCAN of Tennessee. Mr. Speaker, 3 weeks prior to the last election, President Johnson wrote the following letter to all members of the Army Reserve:

[From the Army Reserve magazine, November]

Defense of our great Nation is every American's business. We rely heavily on the Army Reserve as a significant part of our country's defense team.

In his dual role the civilian soldier contributes substantially both to his community and to the defense of our land. For your selfless devotion I commend each one of you. I appreciate also the remarkable way in which your families share in your contribution with their support and understanding.

I am confident that the Nation can rely upon the Army Reserve today and in the future as it has so often in the past.

Seven weeks later, Mr. Johnson approved a Pentagon recommendation that would scuttle the Army Reserve.

I am greatly appalled at the President's about-face—and his decision to support this deplorable proposal.

Historically, the Army Reserve has been the peacetime skeletal force of the Army, and the eliminating of this auxiliary body seems incongruous in the light of history and current world events. There are units and personnel in the U.S. Army Reserve which have no counterparts in the Regular Army or in the National Guard—which elements meant the difference between almost immediate aggressive action and random recruiting after Pearl Harbor 1941.

In President Johnson's attempt to establish a one-branch Government, he has forgotten that Congress is charged with the responsibility for raising and supporting armies, not the Secretary of Defense. This country is in great trouble when one man can dictate such a sweeping change in our defense policy and position.

It would appear to me that the administration is attempting to reduce our Nation's defense appropriations in order that the Great Society can be provided more funds for additional welfare programs.

I believe the decision to return the Army Reserve to the status it held in the early 1920's and to put all of the Army's Reserve defense eggs into the National Guard basket under State training and supervision is fraught with danger and should be rejected.

Disability Insurance for the Blind: H.R. 6426

EXTENSION OF REMARKS
OF
HON. CECIL R. KING
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 17, 1965

Mr. KING of California. Mr. Speaker, for all the years I have been a Member of this Chamber, I have worked with blind people to improve the lot and life of the blind.

Learning of the normality of men and women without sight by my association with them, learning of the ability of men and women without sight to function successfully in competition with their sighted fellows from my acquaintance with blind men and women who are engaged in every imaginable economic activity and endeavor, I have worked with them to improve Federal laws in order to assist the blind in their determination to help themselves.

Nor, Mr. Speaker, have the blind of the Nation lacked champions in the other Chamber, and HUBERT HUMPHREY, of Minnesota, has long been foremost among them.

Recognizing in 1959 that the Federal disability insurance law failed to alleviate the disastrous economic consequences of blindness, the then senior Senator from Minnesota introduced a measure to liberalize the Federal disability insurance law for blind people.

In Congress after Congress the Honorable HUBERT HUMPHREY reintroduced his proposal to provide a floor of financial security against the disadvantages of functioning without sight in a sight-dominated society.

Finally, Mr. Speaker, on September 3, 1964, Senator HUMPHREY offered his disability insurance for the blind bill as an amendment to the pending social security bill (H.R. 11865) and the Senate adopted the Humphrey amendment.

You will recall, however, that H.R. 11865 failed to gain approval in the Senate-House conference and was not adopted by the 88th Congress.

Mr. Speaker, the Vice President has honored me by asking me to carry on his effort to better the disability insurance law for blind people, which I am pleased indeed to do, therefore I am today introducing H.R. 6426.

Rather than describe the provisions of the Humphrey amendment, Mr. Speaker, under unanimous consent, I reprint herewith the address delivered by HUBERT HUMPHREY on the floor of the U.S. Senate on September 3, 1964, in explanation of this bill to liberalize the Federal disability insurance law for our country's blind:

DISABILITY INSURANCE FOR THE BLIND

Mr. HUMPHREY. Mr. President, my amendment would liberalize the Federal disability insurance program for persons who are now blind—and, perhaps even of greater importance—it would make disability insurance payments more readily available to more persons who become blind at the time when blindness occurs.

My amendment would do the following:

First. It would incorporate the generally recognized and widely used definition of blindness into the provisions of the disability insurance law; that is, blindness is central visional acuity of 20/200 or less in the better eye with correcting lenses, or visual acuity greater than 20/200 if accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

Second. It would allow any person who meets this definition in visual loss, and who has worked in social security covered employment for a year and a half—six quarters—to qualify for disability cash benefits.

Third. It would allow persons who meet the above requirements in measurable sightlessness and length of time in covered employment to draw disability benefits, and to continue to draw them, so long as they remain blind—and irrespective of their income or earnings, if they are fortunate enough to be employed.

This amendment seeks to make the disability insurance program a true insurance program against the economic catastrophe of blindness, against the economic disadvantages which result when blindness occurs in the life of a workingman.

Under present law, a person who is blind and unable to secure social security covered work for 5 years, cannot qualify for disability insurance payments. Reducing the present requirement from 20 to 6 quarters would be a much more reasonable and realistic requirement for people who, though oftentimes well qualified for gainful work, still encounter much difficulty in obtaining any work at all.

Under existing law, a worker who becomes blind but has not worked for 5 years in covered employment is denied the sustaining support of disability insurance payments at a time when his whole world has collapsed, when disaster has terminated his earnings and diminished his earning power, and he is faced with surrendering dignity and self-pride and applying for public or private charity—hardly a sound basis upon which to rebuild a shattered life; hardly the basis for instilling self-confidence and reviving hope—so essential as the first step in rehabilitation and restoration to normal life and productive livelihood.

Under existing law, a person who is blind and earns but the meagerest of income, is denied disability insurance payments on the ground that even the meagerest earnings indicate such person is not disabled—or sufficiently disabled in the eyes of the law—to qualify for disability payments.

As a matter of fact, Mr. President, the economic consequences of blindness exist, and they continue to exist, even though a blind person is employed and earning, and these economic consequences are expensive to the blind person who has the will and the courage to compete in a profession or a business with sighted people, who must live and work in a society structured for sighted people.

Adoption of this amendment would provide a minimum floor of financial security to the person who must live and work without sight, who must pay a price in dollars and cents for wanting and daring to function in equality with sighted men.

Social Security Benefits

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 17, 1965

Mr. FINO. Mr. Speaker, today I have reintroduced my bill to authorize the President to allow individuals otherwise eligible to retire with full social security benefits at age 60 when acute unemployment in the Nation so warranted.

My bill would give the President the authority to allow workers to voluntarily retire at an earlier age during periods of acute unemployment, thus creating new job opportunities for younger workers. This discretionary device would be a very useful tool in combating recessions through reduction of unemployment.

This bill would not permanently reduce the retirement age to 60—it would simply authorize the President to use such a reduction, at different times and in different places, as an economic tool with which to combat unemployment and recession.

Cameron Voting Record

EXTENSION OF REMARKS
OF
HON. RONALD BROOKS CAMERON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 17, 1965

Mr. CAMERON. Mr. Speaker, because of the enthusiasm with which my constituents greeted my newsletter format in the last Congress, I am going to pursue the same procedure during the current session. My periodic reports will continue to provide voters with a rundown on each rollcall and quorum call. I shall continue tabulating the yeas and nays on every proposal which comes before us, including how I voted on the particular bill. On those measures of greatest significance, without regard to controversy, I shall continue to explain why I voted as I did.

My first rollcall report of the 89th Congress therefore contains commentary on the seating of the Mississippi delegation, revision of House rules, supplying surplus agricultural commodities to the United Arab Republic, U.S. participation in the Inter-American Development Bank, public hearings on appropriations for the House Committee on Un-American Activities, and the Appalachia redevelopment bill.

ROLLCALL NO. 3—MISSISSIPPI DELEGATION

On opening day an attempt was made to block the seating of five Mississippi Congressmen on grounds that the right to vote in that unfortunate State is systematically denied to Negroes by discriminatory registration laws. Impetus for challenging the Mississippi delegation came from the Freedom Democratic Party which last year held its own congressional election and elected three candidates whose names did not appear on the State's regular November 4 ballot.

Before voting on the seating issue I paused for considerable introspection and careful examination of the arguments presented by both sides. Because I could not in good conscience follow the dictates of my heart instead of my head, I voted to seat the Members who had been elected under constitutional provisions—the regular Mississippi delegation. It was a difficult decision to reach. I have great sympathy for the cause of civil and human rights. I revere and will fight for the right of freemen to exercise their political judgment at the ballot box. There is today no question that many freemen in Mississippi and other States are being denied this right by discriminatory registration procedures.

But the fact that Mississippi has abused the Constitution by not complying with the equal protection clause of the 14th amendment and the entire 15th amendment is not, in my judgment, the failing of the five Congressmen elected under Mississippi law. Rather, it points to the failure of Congress and the courts to insure that provisions of the 14th and 15th amendments were not abridged by the Mississippi Legislature and other State officials.

EX POST FACTO

Another consideration which influenced my vote: The Constitution provides that "No * * * ex post facto law shall be passed." In other words, a person may not be convicted of an offense committed prior to passage of a law that made such an act an offense. Certainly, there was no precedent for denying the Mississippi Congressmen-elect—duly certified under Mississippi law—their seats on the basis of undocumented voter discrimination charges. To do so, in my opinion, would have been tantamount to the Congress itself denying constitutional guarantees to its Members-elect via an ex post facto law.

Following its failure to oust the Mississippi delegation, the Freedom Democrats wisely and properly began building a legal case by gathering factual evidence and relegating emotions to a secondary position. Bringing in civil rights lawyers to assist them, they found an 1851 Federal statute to require testimony from witnesses in support of their challenge. This left such officials as the attorney general, the secretary of state and the head of the Mississippi highway patrol no choice but to answer summons to give depositions regarding voter discrimination. So far about 30 volumes of testimony from Mississippi voting and voter intimidation cases have been compiled for submission to the House if and when the Freedom Democrats again attempt to unseat the present delegation. It should also be noted that all of Mississippi's voting statutes and three constitutional provisions on voting are up for a test before the U.S. Supreme Court.

VOTING RIGHTS BILL

Mississippi is not the only State accused of discriminatory registration procedures. Alabama, Georgia, Louisiana, South Carolina, and Virginia must stand and face the same charge. It is because voter discrimination is widespread in the South that the President this week sent Congress a bill to guarantee voting rights to all Americans. I echo the President's sentiments when he said:

The challenge facing us is clear and immediate—it is also profound.

The Constitution is being flouted.

The intent of Congress expressed three times in the last 7 years is being frustrated.

The national will is being denied.

The integrity of our federal system is in contest.

Unless we act anew, with dispatch and resolution, we shall sanction a sad and sorrowful course for the future. For if the 15th amendment is successfully flouted today, tomorrow the first amendment, the fourth amendment, the fifth amendment, the sixth and eighth—indeed all the provisions of the Constitution on which our system stands—will be subject to disregard and erosion.

It is for these reasons that the President has asked the Congress, under

power granted to it by the 15th amendment, to enact his voting rights proposal. As I indicated in my remarks a moment ago, failure to act in the past has not been the failing of the Members from Mississippi alone. It has been a failing of the Congress. But I am confident that in the days ahead it will act with vigor and dispatch to meet its commitments, not only to itself, but to all Americans.

ROLLCALL NO. 4—RULES CHANGES

The permanent rules changes adopted by the House on opening day were aimed at sharply curtailing the Committee on Rules' ability to block the flow of legislation to the floor. For years this committee, dominated by an ultraconservative coalition of Republicans and southern Democrats, has been a graveyard for progressive proposals which cleared the committee of origin. Without a rule a bill cannot move to the floor. Without a rule there can be no debate. Without a rule there can be no vote. Without a rule the democratic process cannot function in the greatest democracy the world has ever known.

There were three rules changes. One reinstituted—on a permanent basis—the 21-day rule. It permits the Speaker to recognize a committee chairman who wants to bring up a measure which has cleared his committee but has been bottled up by the Committee on Rules for 21 days.

Another change permits the Speaker to recognize a motion which would allow a bill to go to conference by simple majority vote. Previously the objection of only one Member to a conference was enough to require routing a conference request to the Committee on Rules, or else obtaining a two-thirds majority vote on the motion. The history of the Congress shows that many measures, passed in varying forms by both Houses, failed of enactment because the Rules Committee refused to permit compromise discussions between both bodies.

The third change was designed to circumvent a delaying tactic sometimes used to stall final voting for a brief period, usually overnight. A Member no longer has the right to demand a final copy of a bill, with the text as amended by the House and certified by the Clerk, before it is considered for final passage.

I voted for all three changes with the conviction that they will do much to facilitate majority rule in the House.

ROLLCALLS NOS. 7 AND 10—AID TO EGYPT

When the House first voted on the resolution to ban further commodity shipments to the United Arab Republic, I was in California to fulfill a speech commitment. Had I been present, I would have voted for the amendment cutting off aid to Nasser. I had the opportunity to do so when several days later I voted for House conferees to hold firm and reject the Senate's position of giving aid to the United Arab Republic under title I of Public Law 480, the food-for-peace program.

By word and action, Mr. Speaker, the record shows that I am a strong supporter of foreign aid, but only when the program is formulated and implemented along lines of enlightened self-interest. I believe the U.S. aid program should be designed to achieve economic and social goals which will make freedom more attractive than communism to the underdeveloped and emerging nations of the world. For more than a decade we have moved in this direction and in so doing we have achieved worthwhile political ends.

Heretofore we have practiced selectivity in dispensing aid. We have denied assistance to such blatantly hostile, although underdeveloped, nations as Cuba, Communist China, and Albania. On the other hand, we have given limited assistance to such Communist countries as Yugoslavia and Poland because we believed it in our interest to lessen their dependence on the Soviet Union. We attempted to crack the "monolith" and have had some measure of success.

GAMAL NASSER

For many years we have given aid to the United Arab Republic, not only to further the economic and social progress of the Egyptian people but also to exert some political influence over their dictator, Gamal Nasser. The record shows that our policy has failed on both counts. I regret that it has failed, but the fact remains.

It has failed because of only one person—Gamal Nasser. He has taken our aid only to divert Egypt's own resources to military adventurism inimical to world peace. Mainly for this reason the United Arab Republic has not achieved the economic and social stability for which we had hoped.

Nasser has kept the pot boiling in the Middle East for many years. Almost daily he threatens Israel with destruction. Border clashes have become commonplace. He has devoted substantial resources and energy to the development of a missile capability which we must presume would be used against Israel. He has plotted and promoted a scheme to deprive Israel of its fair share of Jordan waters. He has been the aggressor in Yemen and has boasted of his active support of the Congolese rebels. He has tacitly permitted and encouraged mob attacks on U.S. property in Egypt. Gamal Nasser has become synonymous with agitation, subversion, and unrest.

Mr. Speaker, there is a limit to how far the American people can go in assisting a regime that constantly works to promote unrest in the world instead of peace and stability. Nasser's insults are not nearly as important as his actions, but his words, too, are worth considering. Since he has so forcefully stated his willingness to get along without further American aid, I think the time has come to let him do just that.

I regret the House's original position on this vital issue was not sustained, but I trust it has given an accurate sounding of American public opinion to those who carry out our foreign policy.

ROLLCALLS NOS. 19 AND 20—INTER-AMERICAN BANK

Mr. Speaker, as an advocate of multilateral aid programs I gave my full support to the bill authorizing increased U.S. participation in the Inter-American Development Bank. The Bank is the financial arm of the Alliance for Progress and insists on self-help by the nations of Latin America. U.S. participation in the IDB was originally approved in 1959 and subsequent support has always been bipartisan. I am pleased this was again the case in 1965.

H.R. 45 authorizes the United States to contribute $750 million over a 3-year period to the IDB's Fund for Special Operations. The Latin American countries as a group will contribute $150 million in their own currencies over the same period. The Fund for Special Operations provides loans on easy repayment terms where lending on conventional terms is inappropriate. I am sure most Americans would prefer a loan program to one of outright grants.

There are several important points which should be brought out concerning this program:

Increased U.S. participation in FSO will be in lieu of any further contributions to the Social Progress Trust Fund.

Funds previously provided entirely by the United States will hereafter be provided in part by the Latin American countries.

Loans made by the FSO must meet the criteria of the Alliance for Progress.

No funds provided to the FSO will be available to Communist-bloc countries. Cuba has never joined the Bank and is no longer eligible for membership.

The vote of the United States is necessary to obtain the two-thirds majority needed for favorable consideration of any FSO loan. In other words, the United States holds a strong veto power.

The impact of our contribution on our balance of payments will be slight because more than 80 percent of the expenditures from the U.S. contribution will be made in this country.

Mr. Speaker, I supported this bill because I believe in the Alliance for Progress and I believe the vast majority of the American people believe in it. The Inter-American Development Bank lies at the very heart of Latin America's economic progress, and by strengthening the Bank we are making more secure not only American investments in the Southern Hemisphere, but the governments of our sister republics as well.

ROLLCALLS NOS. 23 AND 24—HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES APPROPRIATIONS

Mr. Speaker, the basic issue involved in the recommittal vote on House Resolution 188 has, whether by accident or intent, been grossly distorted by various extremist pamphleteers and at this time I want to make my position unmistakably clear regarding the House Committee on Un-American Activities.

I have received many letters calling for abolition of the committee from constituents and organizations in and outside my district. And I have received many communications asking for continuation of the committee and providing more funds for its operation. There is no question that the committee is highly controversial, but to its friends and foes alike I have consistently restated my position: At this time I am opposed to abolition of the House Committee on Un-American Activities unless

its lawful functions are transferred to the Committee on the Judiciary.

That is why I voted in favor of House Resolution 188 after I and 57 of my colleagues were defeated on the previous motion to recommit the resolution for public hearings. I could not vote to cut off funds to a standing committee of the House and render it unable to fulfill its legislative mandate without that mandate first being rescinded by the House.

HEARINGS NEEDED

I favored a public hearing on the resolution because I believe that free and open debate on controversial issues lies at the very heart of our form of government. It is incredible to me that inferences are being made by some that those Members who favored public hearings are sympathetic to the Communists, the Nazis, the Minutemen, the Ku Klux Klan, and other extremist groups.

It was only a few weeks ago that I called on the chairman of HCUA to investigate the American Nazi Party and the Minutemen because I believe these organizations are engaged in un-American activities. I also made clear at that time that I would not endorse any such investigation if the civil rights or civil liberties of any witnesses were denied, or if there was any infringement of their constitutional right of free speech.

Of all the standing committees of the Congress, only HCUA has generated widespread controversy which frequently borders on emotional hysteria. Since passions run hot on both sides of the issue it seems to me appropriate that they be calmly ventilated through fair and open hearings by a committee of the Congress. In my judgment it would be a healthy development if all Members and the American people knew what the justification for the HCUA fund request is and how the funds authorized by the House are expended.

CONTROVERSIAL ISSUE

There are many controversial facets to the HCUA issue. Does the committee, standing as an arm of the Congress, perform a legislative function? Does it aid the Congress in implementing legislation? Does it deprive witnesses of their constitutional guarantees? Is the term "un-American" being too broadly interpreted? Was I in error in calling on the committee to investigate the Nazis and the Minutemen? I do not think I was but there are some who have so charged.

An even more basic point regarding the House Committee on Un-American Activities goes back 20 years when in this very Chamber its creation as a standing committee was vigorously debated. Let me briefly review what happened at that time:

In 1945 the mandate of the Dies committee, HCUA's forerunner, had expired. It had been established as a temporary investigative committee and would have needed new authorization and appropriation in the 79th Congress. An amendment was presented which would make HCUA a permanent standing committee. Debate developed and during its course the then majority leader, now our distinguished Speaker, opposed the amendment on these grounds:

> I do not know when in the history of our country the National House of Representatives has ever provided by rule for a permanent investigating committee. Mark what we are doing. This is not a question of establishing an investigative committee to investigate conditions that arise from time to time; it is a question of amending the rules of the House to provide for a permanent standing committee that does not consider legislation, but has one subject, one field, the field of investigating and making a report. There is a big difference between establishing a standing committee to investigate and establishing a special investigating committee for a particular Congress. If this amendment is adopted, as far as I know, it will be the first time in the history of this body that a committee of this kind was ever established as a permanent or standing committee.

The amendment was voted on and adopted, 208–186. It was a close vote and I think it important to point out some of the fine Americans who voted against adoption: Mr. McCORMACK; Mr. Francis Walter, who was to become HCUA chairman; Mr. MIKE MANSFIELD, now Senate majority leader; Mr. EVERETT DIRKSEN, now Senate minority leader; Mr. MIKE MONRONEY, now the distinguished Senator from Oklahoma; Mr. Clyde Doyle, who later served on HCUA; Mr. Carl Vinson, who just last year retired after a half century of exemplary service in this House; and Mr. Lyndon Baines Johnson, our widely acclaimed and respected President. I do not think, Mr. Speaker, that even the most vociferous supporters of the House Committee on Un-American Activities would charge that any of these fine, distinguished public servants are or have been sympathetic to communism.

Nor do I think any HCUA supporters would charge that the distinguished and capable Republican Representative from Missouri [Mr. CURTIS] is a Communist sympathizer. Yet it was the gentleman from Missouri who in an address to the House on February 8 said:

> I think it would be helpful if the House Administration Committee would hold public hearings at the time the budget of the House Un-American Activities Committee is under consideration and invite the critics of the House Un-American Activities Committee to be heard in full. If the critics have a case that can be made, let us have it presented under circumstances which permit cross-examination of the witnesses who level the charges and testimony in rebuttal to be presented by those who disagree with them. The Congress of the United States is the proper forum in which to present the pros and cons of controversial issues of a political nature. The Congress constantly fulfills this function through public hearings by its standing committees. Utilizing the Congress in this fashion is the best way to resolve matters where grave differences of opinion exist on subjects of a political nature, such as this one.

My vote on the motion to recommit, Mr. Speaker, was an accurate reflection of the gentleman from Missouri's perceptive analysis on the need for public hearings regarding HCUA. He made an excellent statement and I concur with it.

BUDGETARY ISSUE

But I voted to recommit not only because this controversial political issue merits a public airing. Irrespective of politics, in terms only of efficiency and economy in the Congress, there have been legitimate questions raised as to the need for a $370,000 budget for a nine-member committee. Permit me to briefly point out some pertinent comparisons regarding various committees of the House:

In this Congress, my committee, Foreign Affairs, which handles important legislation in complex areas ranging from the Peace Corps to military assistance, has 37 members and a budget of $118,250. This averages out to $3,195 per member.

The $370,000 budgeted to the Committee on Un-American Activities breaks down to $41,111 per member, or 13 times the sum per member of my committee.

Examine the HCUA budget in relation to another committee, Interior and Insular Affairs, one of the busiest in the House. Interior's budget is $100,000. It has 34 members, for an average of $2,941. This is $38,159 less than the per member figure for HCUA.

And yet, in the 88th Congress, only 29 measures were referred to HCUA, while 850 went to Interior. One HCUA bill was enacted into law. Interior enacted 149. Comparing legislation considered and passed, the ratio is about 400 to 1.

What of HCUA's budget when compared to one of the House's most vital committees in terms of national security, Armed Services? Armed Services has 37 members operating on a $150,000 budget. This makes for a per-member figure of $4,054 or a sum more than 10 times below that of HCUA.

The discrepancy in budgets goes on and on for committee after committee. I would think that if the House Committee on Un-American Activities can indeed justify its budget—if only to satisfy the concern expressed by fiscal conservatives in this body—it would welcome the opportunity to do so in public hearings.

PUBLIC BUSINESS

Mr. Speaker, since entering public service I have always been a strong and unflinching advocate of conducting the public's business in public. The people have a right to know what we in government do with their money, how we vote, how we represent them. It is this philosophy of government which I brought to the Congress and which I will fight for every day that I am here. And I will not be swayed from this course by veiled and unveiled threats or outright fraudulent charges made by extremists who would again plunge this Nation into the dark ages of McCarthyism.

When I came to the Congress more than 2 years ago I was told by cynics that my rollcall reports, the very type which I am presenting today, was a mistake. Why? Because I laid my record out for all to see, unafraid to mirror myself to my constituents, confident that they did not suffer from political myopia

or distorted vision. The people of my district have proven the cynics and the secretists wrong, Mr. Speaker, and I am proud of the honor to represent them if for no other reason than that they, too, believe in conducting the public's business in public. I could not have remained true to myself, or to them, had I not, when the request was made, voted to recommit for public hearings the appropriations bill for the House Committee on Un-American Activities. And when this request was defeated I believe I again accurately reflected the views of the citizens of my district when I voted to appropriate the $370,000 requested by the committee.

ROLLCALLS NOS. 28 AND 29—APPALACHIAN REDEVELOPMENT

At stake on these votes was a program which over the next 6 years will initiate the redevelopment and return to prosperity of the 360 counties which stretch from New York to Alabama along the Appalachian Range.

This region has for many years been an extremely depressed area. Its nearly 16 million people have consistently had one of the lowest per capita income figures in the United States. The decline of native industries and the inability of the area to attract new industries because of poor transportation facilities rendered the people unable to help themselves. They have lived for many years in a poverty of both body and spirit, a poverty which is difficult to comprehend in this affluent Nation. Appalachia has become a backwash, out of the mainstream of our great prosperity.

I voted for the redevelopment bill because I believe it will in a variety of ways help wipe out the stagnation which has existed there for so long. The bill's provisions will help the people of the region to help themselves.

PROVISIONS

The measure provides almost $1.1 billion for development programs over a 2-year period. Most of it will go for thousands of miles of roads and highways to ease the acute transportation problem and thus help to attract badly needed industry. The remaining funds will be used to provide vocational training for the many unemployed people of the area, to provide badly needed hospitals to upgrade generally low health standards, and to finance programs of water, soil, and forest conservation as well as programs for better utilization of the area's vast mineral resources.

During debate on this measure, Republicans attempted to attach a series of crippling amendments, claiming that the bill, in aiding only one area—even an area so badly in need as Appalachia—discriminates against the rest of the country. They failed to realize that every American has a stake in the prosperity of the Appalachian area, not only as a matter of social conscience, but as a matter of practical economics. The increased prosperity of these 16 million people will stimulate the entire economy, from the large industries of steel, autos, rubber, and petroleum down to the smallest consumer goods industries. The increased prosperity of Appalachia will eventually reach into and stimulate the economy of every town in America.

Having failed to gut this badly needed legislation by amendment, the Republicans moved to recommit it to committee with instructions to substitute an entirely different bill. I voted against the motion to recommit because the substitute bill made a shotgun approach to the situation and would have diluted funds to such an extent as to make the bill nothing more than another "pork barrel" measure which would have failed to help any area in a substantial way. S. 3 on the other hand, is a carefully directed, coordinated bill which should help an entire region to lift itself up by its own bootstraps and benefit the entire Nation in the process.

The Appalachian Redevelopment Act has the additional feature of reenforcing the Federal-State relationship which has been the great strength of this Nation. To administer the program it provides for a joint commission made up of one representative from the Federal Government plus one representative from each of the 11 States directly involved in the redevelopment effort. The Federal Government will delegate its decisionmaking to the Governors, and the States and communities will do the planning and for all practical purposes run the program. As President Johnson said upon signing the bill into law, it is one of the best examples of creative federalism in our time.

Rollcall No.	Date	H.R. No.	Vote				Brief description
			R.B.C.	Yea	Nay	Not voting	
1	Jan. 4		Present				Rollcall by States of Representatives-elect.
2	Jan. 4		McCormack				Election of Speaker—straight partisan vote: McCormack, 289; Ford, 139.
*3	Jan. 4	H. Res. 1	Yea	276	149	0	Authorizing Members-elect from Mississippi to be sworn into office.
*4	Jan. 4	H. Res. 8	Yea	224	201	6	Revision of House rules to expedite flow of legislation.
5	Jan. 19		Present				Quorum call by Mr. Arends, Republican, of Illinois. (99 Members absent.)
6	Jan. 19	H. Res. 126	Yea	245	102	84	To dismiss contest on seating of Representative Ottinger, Democrat, of New York.
*7	Jan. 26	H.J. Res. 234	Not voting	204	177	53	Amendment to agriculture appropriation bill which precludes shipment of surplus commodities to Egypt (R.B.C. in California).
8	Feb. 4		Present				Quorum call by Mr. Flynt, Democrat, of Georgia. (80 Members absent.)
9	Feb. 8		Present				Quorum call by Mr. Gross, Republican, of Iowa. (46 Members absent.)
*10	Feb. 8	H.J. Res. 234	Yea	161	241	29	Motion that House sustain original position (Rollcall No. 7) and instruct conferees to disagree with Senate position which would permit shipment of surplus commodities to Egypt.
11	Feb. 9		Present				Quorum call by Mr. Haley, Democrat, of Florida. (69 Members absent.)
12	Feb. 9	3818	Nay	93	289	51	Motion to recommit bill to eliminate requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities.
13	Feb. 9	3818	Yea	300	82	51	On passage of bill to eliminate certain Federal Reserve requirements.
14	Feb. 10		Present				Quorum call by Mr. Fuqua, Democrat, of Florida. (98 Members absent.)
15-18	Feb. 17-18		Absent				During this period R.B.C. was an official delegate to the United States-Mexico Interparliamentary Conference; there was 1 rollcall on the Arms Control and Disarmament Agency authorization bill and 3 quorum calls.
*19	Feb. 18	45	Nay	142	237	54	Motion to recommit bill authorizing U.S. participation in resources of Inter-American Development Bank.
*20	Feb. 18	45	Yea	288	93	52	On passage of bill authorizing U.S. participation in resources of Inter-American Development Bank.
21	Feb. 24		Present				Quorum call by Mr. Baldwin, Republican, California. (55 Members absent.)
22	Feb. 25		Present				Quorum call by Mr. Broomfield, Republican, of Michigan. (50 Members absent.)
*23	Feb. 25	H. Res. 188	Yea	58	332	43	Motion to recommit HCUA appropriation bill with instructions that public hearings be held on justification for funds.
*24	Feb. 25	H. Res. 188	Yea	359	29	45	On passage of HCUA appropriations.
25	Mar. 1		Present				Quorum call by Mr. Aspinall, Democrat, of Colorado. (51 Members absent.)
26	Mar. 1		Present				Quorum call by Mr. Cederberg, Republican, of Michigan. (24 Members absent.)
27	Mar. 3		Present				Quorum call by Mr. Baldwin, Republican, of California. (27 Members absent.)
*28	Mar. 3	S. 3	Nay	100	323	10	Motion to recommit Appalachian redevelopment bill.
*29	Mar. 3	S. 3	Yea	257	165	11	On passage of Appalachian redevelopment bill.
30	Mar. 9		Present				Quorum call by Mr. Hays, Democrat, of Ohio. (42 Members absent.)
31	Mar. 10	2	Yea	402	0	31	Amending Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs.
32	Mar. 11		Present				Quorum call by Mr. Gross, Republican, of Iowa. (42 Members absent.)
33	Mar. 15	4714	Yea	217	113	103	To amend the National Arts and Cultural Development Act to correct a legislative oversight (⅔ vote needed for passage; measure defeated).

*Items so marked are considered to be of greater significance, and a brief explanation is included herein.

Rampart Dam, Alaska

EXTENSION OF REMARKS
OF
HON. RALPH J. RIVERS
OF ALASKA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 17, 1965

Mr. RIVERS of Alaska. Mr. Speaker, the capability of the Rampart hydropower project in Alaska when constructed to provide the only truly cheap power for Alaska and the west coast is well established in official reports. Even occasional critics of Rampart Dam rarely question this conclusion.

It was in response to a critic, Mr. SAYLOR, of Pennsylvania, that I rose on March 11 to point to the importance of the potential hydropower of the Yukon River to America's power needs. I also reminded my colleagues that Secretary of the Interior Stewart Udall had appointed a six-man task force to analyze and evaluate the massive field report of agencies of the Department of the Interior and the U.S. Army Corps of Engineers.

My colleague's remarks were occasioned by an editorial in the New York Times of March 8, entitled "World's Biggest Boondoggle."

The editorial comments of the New York Times were answered directly today by an Alaskan whose efforts to provide low-cost hydropower for America through Rampart Dam have been outstanding, Alaska's distinguished junior Senator ERNEST GRUENING. In his letter to the editor, the Senator wrote:

LETTERS TO THE EDITOR OF THE TIMES: GRUENING BACKS HYDROPOWER FOR RAMPART

To the EDITOR:

As your March 8 editorial on Rampart Dam refers to me by name as one who cheered a recently released Interior Department report, I hope you will give me an opportunity to comment.

The only possible explanation for your characterization of Rampart Dam as the "world's biggest boondoggle" is that the Times has not attempted to get the facts.

Would the Times have described Grand Coulee as a boondoggle? Or Boulder Dam? Or the Tennessee Valley Authority? Your disdainful dismissal of the importance to consumers of low-cost power from Rampart completely ignores advances in economic progress and standards of living accompanying successful development of hydropower for public benefit.

BENEFIT TO NATION

Not only Alaska, but the Nation as a whole will benefit from low-cost power from Rampart. The Federal Power Commission predicts that power needs of the American people in 1980 will be 2½ times the amount required in 1964. To meet this onrushing increase in demand, Rampart's 5 million kilowatts will supply less than 1 percent of the total. Although Rampart is big, it is also necessary.

Four years of intensive study by the Corps of Engineers and other agencies, public and private, have brought Rampart to the point where a definite report should be available later this year.

You refer to the analysis now being made by the Natural Resources Council. Why not wait before jumping to half-baked conclusions?

Your reference to Rampart as "the world's biggest sinkhole for public funds" ignores that all these great hydro projects are fully amortized, principal and interest, from the revenues for the power generated. The billion dollars which you italicize in your horror is an investment which will be more than repaid, for in addition to repayment of funds advanced is the income from taxable industries and taxable employees.

The answer to the question of marketability of Rampart's power has been given not only by Development and Resources Corporation under supervision of the respected David Lilienthal in a study for the Corps of Engineers, and by private consultants, but now by the Department of the Interior. That answer is "Yes."

As to supposed superiority of alternative sources of power, the same studies lead to the same conclusion that Rampart power will be cheaper than nuclear energy, coal-fired steam plants, natural gas or oil or any other Alaskan hydro project. If resource conservation and low power costs are important, Rampart is incomparably better than the widespread destruction and excessive costs of suggested alternatives.

Construction of Rampart can be expected to result in significant increases in production of migratory fowl, fur-bearing animals, and fish, as has happened at other projects. The Times estimates of losses of migratory fowl, animals, and salmon appear to be those calculated by the Fish and Wildlife Service of the Department of the Interior. The people of Alaska have suffered too often from egregious errors of the Fish and Wildlife Service. Our once great salmon fishery resources declined so that in 1959, the last year of Fish and Wildlife control, it had reached the lowest point in 60 years. Under State management the salmon runs have improved substantially, a difficult task after the Fish and Wildlife mismanagement.

GROUPS IN OPPOSITION

Again, the Fish and Wildlife Service, followed by the Wildlife Management Institute and the National Wildlife Federation, would have performed a grave disservice to Alaska when, in 1957, these groups opposed development of oil and gas resources of the Kenai moose range. Fortunately they did not succeed. These organizations then sounded alarms about the damage and destruction this would visit upon the moose, in the same vein as the cacophony now heard against Rampart.

When, over these protests, but with approval of the Izaak Walton League, the moose range was partially opened to leasing, the moose flourished. Far from damaging the habitat for moose, the incidental lumber clearing enhanced it.

Rampart will bring wildlife resource increases, and we rejoice that this can occur simultaneously with increased prosperity for the people of Alaska and the Nation.

ERNEST GRUENING,
U.S. Senator From Alaska.

WASHINGTON, *March 12, 1965.*

Tax Cut and Utility Rate Reductions

EXTENSION OF REMARKS
OF
HON. JOHN S. MONAGAN
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 17, 1965

Mr. MONAGAN. Mr. Speaker, the annual report of the Southern New England Telephone Co. for 1964 points out that in November 1964 the company was able to announce a rate reduction totaling $2 million. This rate cut, the third in slightly over 2 years, was credited by the President of the company, Ellis C. Maxcy, to the Federal income tax reduction enacted by Congress in 1964. The annual report of the Connecticut Light & Power Co. shows a comparable rate reduction due to the tax revision.

It is encouraging to know that the tax cut had such a direct influence in reducing rates, thereby freeing more funds of individuals and corporations for general use in the economy.

Fourth Annual Governmental Affairs Seminar

EXTENSION OF REMARKS
OF
HON. CHARLES L. WELTNER
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 17, 1965

Mr. WELTNER. Mr. Speaker, the recent fourth annual Governmental Affairs Seminar, sponsored by the Capitol Hill chapter of the Junior Chamber of Commerce, proved once again to be a fine success this year.

Some 150 Jaycee delegates—many of them winners of governmental affairs contests in their own States—came to our Capital from 44 States to learn firsthand some of the operations of the three branches of our National Government. This is a fine way to provide young leaders in communities throughout the United States with the opportunity to participate, with Members and with officials of various executive departments, in discussions on the pros and cons of major legislation and other vital issues now facing the people of our Nation.

Mr. Speaker, it was a pleasure for me to join with Congressman CHARLES JOELSON, of New Jersey, THOMAS CURTIS, of Missouri, and BARBER CONABLE, JR., of New York, on a panel to discuss the merits of the economic opportunity program. Panels such as this and others on crucial subjects gave Jaycees an insight into the complexity of major problems, enabling them to impart what they have learned to fellow members in Jaycee chapters around the country.

Some of the highlights of this weeklong seminar were panels on medicare and related medical assistance legislation; the general aid to education bill; the proposed repeal of section 14(b) of the Taft-Hartley Act; reapportionment of State legislatures and congressional districts; the war in Vietnam, and others.

Among other features of this program was a briefing on foreign affairs by Under Secretary of State for Political Affairs, Mr. George Ball, and Under Secretary of State for Economic Affairs, Mr. Thomas Mann; addresses by Senator JOSEPH MONTOYA, of New Mexico; by Dr. Wilbur Cohen, Assistant Secretary for Legislation, Department of Health, Education, and Welfare; Senator BIRCH

BAYH, of Indiana; Senator PETER DOMINICK, of Colorado, at the Annual Awards Night banquet; and a special question and answer session with Senator ROBERT F. KENNEDY of New York.

Mr. Speaker, I take this opportunity to congratulate the Capitol Hill Jaycees on their enlightening seminar and to commend particularly John V. "Skip" Maraney, the chapter's president; Mike Vandeveer, the seminar's general chairman; and Argyll Campbell, press secretary to the Democratic whip, the gentleman from Louisiana [Mr. BOGGS], for their outstanding efforts to make this fine program a continuing success.

In addition, I commend my constituent, H. Oliver Welch, of Atlanta, assistant national chairman of the Governmental Affairs Seminar, for his contribution.

Tribute to Oscar G. Mayer

EXTENSION OF REMARKS
OF
HON. SIDNEY R. YATES
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 17, 1965

Mr. YATES. Mr. Speaker, I note with sadness the passing March 5 of Mr. Oscar G. Mayer, one of Chicago's most dynamic business leaders and one of our city's most public-spirited citizens.

Over a span of half a century, Mr. Mayer proved himself an innovator in industry, a friend of the consumer, and a benefactor of the public.

Under his leadership, Oscar Mayer & Co. revolutionized the marketing of meat products. Mr. Mayer was a pioneer in the packaging of processed meats and introduced modern methods that ushered in the age of self-service meat purchasing.

At the time of his death at age 76, Mr. Mayer maintained his office at 1241 Sedgwick Street on Chicago's near North Side. He was born in an apartment at that address in 1888. Downstairs, his father, the late Oscar F. Mayer, an immigrant from Bavaria, and two uncles, Gottfried and Max, operated a small sausage business.

Following his graduation from Harvard University, with honors, in 1909, Oscar G. Mayer returned to join the growing family business. As processing plant superintendent, vice president of operations, president, and chairman of the board in later years, Mr. Mayer inspired the dramatic growth of that tiny neighborhood sausage market into one of the nation's leading meat processing firms.

He was regarded in the industry as an early and tireless advocate of research and development, before that term was generally accepted in management circles. He served as president of the American Meat Institute from 1924 to 1928.

Mr. Mayer was named one of Chicago's "Outstanding 100 Citizens." In a pamphlet titled "A Plan for Living," he summed up his philosophy: "Lifelong personal development, generous consideration for others, due service to society."

As a servant of society, he lent his talents to civic improvement programs and to education. He was president of the Chicago Association of Commerce and Industry from 1938 to 1940. He served as a trustee of the University of Illinois for 6 years, including 2 years as board president. He was a trustee of Beloit College for 9 years, and a life trustee of that institution since 1953. His contributions to education were recognized with his receipt of honorary degrees from the University of Wisconsin, St. Ambrose College and Beloit College, and a Centennial Award from Northwestern University.

As an industrialist and as a citizen, Mr. Mayer gave richly to his century. His was a full and fruitful life. As an innovator and as an educator, he also left a generous endowment to the future. I extend heartfelt sympathy to his grieving family, knowing that their loss will be shared by the many friends and associates and citizens who knew him and his work.

Leon M. Huntress, New Hampshire Writer, Stimulates Thoughts on Freedom and Individual Duty in Contemporary America

EXTENSION OF REMARKS
OF
HON. JAMES C. CLEVELAND
OF NEW HAMPSHIRE
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 17, 1965

Mr. CLEVELAND. Mr. Speaker, it is well to be reminded from time to time that our society, composed of individuals exercising free choices, can never be any better than the best of the sum total of all these myriad choices. And that, therefore, the majority of these individual decisions must be based on standards of mutual respect for each other and for each other's tastes and wishes, if the country itself is to keep to its ideals. Too many people abuse freedom by using it as a license.

I am drawn to this comment by a striking column written by Mr. Leon M. Huntress and published recently in the Plymouth, N.H., Record. It is good writing and makes good reading. We should not forget the words of Lord Acton. I offer it for the RECORD with my highest recommendation:

FROM THE SIDE OF THE ROAD
(By Leon M. Huntress)

At about the time of life when his observer was beginning to take notice of some of the things about him, there passed into eternity a most unusual individual. He was contemporary with our age, then and now. His name was Lord Acton, an English historian, who was one of the most deeply learned men of his time, and he has long been remembered for his influence upon others. A devout member of the Roman Church, he appeared at the Ecumenical Congress in 1870, when a great crisis arose over the promulgation by Pius IX of the dogma of papal infallibility. Lord Acton opposed the proposition with considerable vigor, but lost.

He was possessed of great ability in teaching history, with a remarkable capacity to study. Yet he was a man of the world, a man affairs, not a bookworm. Little came from the pen of Lord Acton; his very learning seems to have stood in the way. He knew too much, and his literary conscience was too acute for him to write easily. His copiousness of information overloaded his literary style. He devoted most of his life to the preparation of writing the history of freedom, accumulating over 25,000 note cards of materials. The work never appeared in print—it has been called the greatest book never written.

However, Lord Acton made his mark upon his time with his concept of freedom. There are problems confronting a writer of any degree who seeks to discourse upon the subject. Some call it "peace of mind," if only for the common tendency to identify "true" freedom with wisdom, virtue, holiness, and other spiritual goods. Conditions of life in a free society by no means guarantee such peace of mind, any more than they do goodness or happiness. The freedom to pursue our own good in our own way implies the constant possibility of lazy, unintelligent, evil, or fatal choices.

Lord Acton saw freedom of conscience as the very essence of freedom, which in his well-known definition, he summed up as "the assurance that every man shall be protected in doing that which he believes to be his duty against the influence of authority and majorities, custom and opinion." That is a very large area in which to operate, and there are many calculated risks. Innumerable individuals substitute the word "privilege" for the word "duty" in Lord Acton's aphorism, and thereby we acquire problems. Occasionally, we hear a citizen declaim about his constitutional rights let the chips fall where they may: never mind other people. It is, of course, a man's right to make a fool of himself in public but others have a similar guarantee or protection that their rights shall not be destroyed in the process. The bystanders need not be annoyed by the unseemly behavior of the freedom lover.

Others spend much time and effort seeking to improve the status of freedom in others. Crusaders espouse campaigns to emancipate their brothers from the domination of tyranny. Senator Goldwater, within recent memory, promised his countrymen an existence free from interference by their Government. Taken in or out of context, the kids at Hampton Beach last Labor Day seemed to take him at his word. By the way, whatever happened to all those youngsters who became heroic martyrs by receiving fines and jail sentences, which they promptly appealed? One has not heard if justice was actually meted out to them in finality. Presumably, they are proudly displaying their service stripes and polishing up for next Labor Day.

These guarantees of freedom from restraint held out before people are attractive, but there are dangerous aspects involved. Some 30 years ago, when the Japanese invaded China, they paid special attention to the opium traffic, legalizing and encouraging it throughout the occupied areas, making it as easy as possible for their subjects to become addicts. The Germans did the same thing with vodka in occupied Poland. During recent dictatorships in Cuba, whenever the secret police foresee an uprising, any expression of protest or cry of independent will, there are announced programs of indecent films in the Havana theaters, to turn men's minds to other things.

It is possible to corrupt the majority of a nation, perhaps of a whole region; to demoralize millions of people by making life easy for them, so that they forget to use their brains. The emperors of Rome needed no secret police, because they supplied the

populace with free meals, frequent gifts of money, and great spectacles in the Colosseum.

A subject which has consumed the attention of thinkers for centuries has been that of the nature and limits of the power which can be legitimately exercised by society over the individual. The struggle between liberty and authority is the most conspicuous feature in the portions of history with which we are earliest familiar, particularly in Greece, Rome, and England. In those olden times, this contest was between subjects, or some classes of subjects, and the government.

In the evolution of our present state of society, we regretfully observe a widely held notion that the people have no need to limit their power over themselves. It seems to have a considerable vogue these days, but in philosophical theories, as well as in persons, success discloses faults and infirmities which failure might have concealed from observation. The low estate of private and public morals, disrespect for constituted authority, weakening of the family structure, the elevation of sex as a subject of visual and audio communications, the trend in women's attire, the degeneration of popular music, and the dance—to mention but a few factors—have produced a strange set of standards in the name of liberty and freedom.

Not the least doubtful is any American of the prospects for continued material success of this great Nation. But our democracy can never prove itself beyond critical censure until its citizens improve the moral atmosphere by positive action, after carefully reexamining the basic principles upon which our liberties and freedoms were established.

FEBRUARY 25, 1965.

MR. LEON M. HUNTRESS,
Plymouth Record,
Plymouth, N.H.

DEAR MR. HUNTRESS: As you know, I am a regular reader of your column, and I always enjoy it. Particularly enjoyed the one on February 4, discussing Lord Acton. I frequently quote him on the point that "all power corrupts and absolute power corrupts absolutely."

The more I serve here in Washington, the more I am convinced that this concept is true. There is today, in my opinion, a dangerous lack of appreciation of the rapidity with which we are losing individual freedom. Your comments on some of the reasons for this are perceptive and ones with which I am in agreement.

You are to be congratulated on your excellent essay.

Regards and best wishes,

JAMES C. CLEVELAND,
Member of Congress.

A Statement in Defense of the State of Alabama

EXTENSION OF REMARKS
OF

HON. JACK EDWARDS

OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1965

Mr. EDWARDS of Alabama. Mr. Speaker, a few days ago, we in the Congress joined the Nation in commemoration of one of our Nation's greatest documents—the second inaugural address of President Abraham Lincoln. That address contains some remarkable language. Mr. Lincoln said, "Let us judge not that we be not judged." And he also urged that we "bind up the Nation's wounds."

This theme has been much on the mind of Alabama citizens these last few weeks. Whatever we may have felt about events in our State and around the country, most of us have thought that protestations and explanations might only serve to further arouse emotion and contribute to further violence. We have sought to act in the spirit of conciliation and reasonable understanding.

Mr. Speaker, I have sat here for some days listening to my colleagues belittle my State and accuse the good people of my State of all manner of evil. It seems imperative, therefore, that some statement in the defense of the great State of Alabama be made.

I want to make it clear from the very beginning that I believe wholeheartedly in the right of all qualified citizens, not only to register, but also to cast a vote on election day. This right is basic to the freedom that we enjoy in this Nation, and anything less than a full and equal right to vote by all qualified citizens cannot be tolerated.

Yes, I support the right of qualified American citizens to vote. If that right is not otherwise clear, it is unmistakably stated as the 15th amendment to the Constitution which says, "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."

Furthermore, I consider it deplorable that in some States, due to various but real conditions, this right has been slow to develop into fruition. More of our people should qualify as voters. I make no defense of every personal action in Alabama over the past few days. Violence in whatever form should not be tolerated in this country. And I join with other concerned citizens everywhere in calling for an end to violence.

From this point, then, there are two matters to consider: First, what do we in Alabama wish to say to the Nation at this particular time; and second, how do we best proceed from here to assure that American citizens have the right to vote.

Lincoln told us: "Let us judge not that we be not judged." Let us be careful that in our eagerness to see a better application of what we consider to be justice for citizens, we avoid using a different set of standards according to our special purposes of the moment. Let us be careful, before we react emotionally to newspaper headlines, that we are in possession of factual knowledge, and that we find in our hearts the appropriate mixing of understanding and indignation.

On Monday evening of this week, as the President of the United States spoke to the Nation on this very issue, a group of demonstrators, most of whom came from outside the State, congregated in the capital city of Alabama on a major street and caused a delay in the transit of an ambulance with red light flashing which was at that time on an emergency mission. I do not prefer to think that the responsible citizens of this country want to dismiss this incident, and others like it, for the reason that it occurs in Alabama, while these same citizens might feel differently if the same kind of event should occur in the capital city of some other State. What, for example, might be the reaction of responsible citizens if outside street demonstrators, for whatever cause, might stop an ambulance on a major street in St. Paul, Minn., or Albany, N.Y., or Salt Lake City, Utah? I believe that is a fair and reasonable question which Americans might ask of themselves.

We might also ask where were the cries of indignation when police in this city of Washington found it necessary to bodily remove demonstrators from the middle of Pennsylvania Avenue on Saturday, or from the Capitol Building on Monday of this week, or from the Attorney General's office last week? Can it be that we have unknowingly set up one set of values for one area of our country and quite another for the remainder?

All of us will agree that the key to the American right to peaceful demonstration and protest is responsibility. Reasonable men assume that a responsible demonstration by individuals acting responsibly is to be honored. But how easy it is to lose sight of the distinction between responsibility and irresponsibility, when we are far from the scene. And how quickly the distinction becomes clear when one's own freedom to move through a hallway, or along Pennsylvania Avenue, is affected.

The cause of citizen rights is an honorable cause. When this cause is adulterated by the irresponsible behavior of persons who come as strangers, it does not seem too much to ask that this be recognized for what it is. The hearts of Americans are given over to the redress of grievances, wherever the need may arise. This is as it should be. But Alabama asks today that the country try to look beyond the emotion of the newspaper headlines and try to recognize irresponsibility from a distance, and not be too quick to judge Alabama from afar by one standard, waiting to recognize irresponsibility only when it arrives on Pennsylvania Avenue so that it may be judged by another standard there.

The city of Selma in Alabama is not a part of the congressional district which I have been elected to represent. Included in the six counties which I do represent are some in which many citizens have not so far registered to vote. This condition has been considered unfortunate by many citizens of both races, and procedures have been established to correct the problem. More persons are new registering in all six counties of Alabama's First Congressional District. I hope it will continue. And I believe it will continue if those who are truly concerned act in good faith. The danger of today is that emotions are running too high. Just as the emotions in Cook County, Ill., might run high if persons from Alabama should demonstrate in the streets to enforce fair election procedures and an honest count of the votes, persons in Alabama react with emotion when they find that people come in from other States to do everything they can to provoke violence under the protection of national sympathy and under the cloak of "nonviolence." Mr. Speaker, a person cannot understand until he has stood in a policeman's shoes and been

spat upon and cursed in undertones by a "nonviolent" demonstrator.

If the scars of these past few weeks are not too deep, if the wounds can be bound up, Alabama will continue its progress in expanding the right to vote. I wish very much that I might have the honor to act as host for many Americans who could in good faith undertake to visit Alabama. There they will find persons who also feel concern, people who think, act, and behave very much like the concerned, honest, and responsible folks of Omaha, Nebr., Scranton, Pa., and thousands of other American communities.

What, then, was the problem? The problem is the heat of emotion brought upon us by the two extremes—those who believe that any action can be excused in the advancement of an objective or in the prevention of it.

We ask for your understanding, my colleagues; we ask you to read the fine print as well as the headlines. We ask you to consider the action of wave upon wave of demonstrators in the light of advances made in our State; we ask you to consider who the people are who have used moderation in their approach to the problems confronting this Nation of ours today. For the courts had ruled in favor of the demands of the Negroes, registration was proceeding, there was good communication between the races. But still the hordes of demonstrators came.

How long must a people bear the continued abuse and insults? Having made their point they were unwilling to withdraw. They have found a good horse and they are riding it to death, no matter what the consequences.

Judge Learned Hand wrote:

> What is the spirit of moderation? It is the temper which does not press a partisan advantage to its bitter end, which can understand and will respect the other side, which feels a unity between all citizens—real and not the fictitious product of propaganda, which recognizes their common fate and their common aspirations—in a word, which has faith in the sacredness of the individual.

Having stated what I, as an Alabamian, want to say to the Nation today, let us turn now to the question of how we might best proceed from here so as to assure more American citizens of the right to vote.

The Civil Rights Act of 1964 became law on July 2, 1964, just a little over 9 months ago. As we all know, the debate over the legislation raged across the Nation for many months. In every congressional district of the land, there were protagonists and antagonists. Some, in their strong feeling, said that this legislation would solve our problems, that it would bring the matter off the streets and into the courts. Others, including many in the South, felt that many sections of the bill may have been unconstitutional.

But, in any case, the Civil Rights Act of 1964 became law, and though many in the South found serious fault with it, efforts began in good faith to comply with its provisions.

Specifically with regard to voting rights, a Federal judge in Mobile, Ala., on February 4 of this year ordered under the new law that all persons in Dallas County in which Selma is located, who could read and write should be given the opportunity to register and to vote by the next election. The court order also stipulated that if all who wished to register by July 1965, were not registered, the court would proceed to do it.

Furthermore, the people of Dallas County were prepared to proceed with compliance, and in fact, went to some pains to call attention to their situation as a demonstration of good faith, and as an effort at the kind of communication which might have averted subsequent problems.

But for purposes which I will leave for others to determine, groups outside Alabama proceeded with 6 weeks of irresponsible and well publicized demonstrations which have resulted in tragedy, death, and greater frictions than existed before.

The emotional strength of these events has been so considerable that the President of the United States, who we are told ordinarily seeks to "reason together" with people in search of a consensus, told the Nation on Monday night this week that there must be "no compromise." Forsaking the spirit of moderation of which Judge Hand so effectively wrote, the President has evidently joined those who feel that extremism in this case is a virtue.

Mr. Johnson has proposed new legislation to set up Federal registrars for voting in all elections.

The question all Americans, not just those of us from Southern States, should ask themselves, is twofold: First, is it now time to strike off again in this direction; and second, if so, how far do we go? How far can we go in centralization of Government authority under conditions of emotionalism? And how much unemotional restraint might be wise?

Let me express my feeling that at this point, 9 months after enactment of the Civil Rights Act of 1964, and 6 weeks after an Alabama judge has issued orders which would redress the grievances of Dallas County Negroes, it is far too early to act, based on emotionalism arising out of those grievances, in a way which might be considered unwise in the afterlight of calm consideration.

We respect the law. In fact, I cannot put it too strongly that I believe the whole key to the civil rights situation is respect for the law. Street demonstrations have, as their underlying element, an unhealthy disrespect for law. Surely to rush into the enactment of new law, under the pressure of emotion surrounding the disrespect for existing law, cannot bring about a real solution.

The heart of the President's proposal on voting rights is enforcement by direct Federal action, a more rigid Federal enforcement than exists under the Civil Rights Act of 1964.

Since Alabama is already in the midst of compliance with the Civil Rights Act of 1964 in a way which would seem to assure full voting rights, American citizens should ask themselves if the price for the new law might be too high.

If, as the President says, we should act in this matter with no hesitation and no compromise, then we should at least consider that we may be paying a price approximately equivalent to our Federal system of Government for a new law which may be unnecessary.

If it is thought to be necessary to give this kind of enforcement power to the National Government, enforcement which would involve local elections, then what stands in the way of similar National Government enforcement of any other aspect of our lives whether it be the operation of our schools, the maintenance of local streets, or the choice of books for our libraries?

Apparently, my view represents a minority so far as the Nation is concerned. A voting law will surely be approved with an overwhelming majority. And as before, Alabama and the South will make every effort to comply.

But I want to express my feeling that our country may be in trouble. If there is any lesson of history worth giving our attention, it is that when any nation stands up to applaud, again and again, the giving over of greater and greater centralized authority to its national government, and when with every passing month the people of a free nation seem more and more eager to take responsibility out of their own hands and give it over to the federal government, paying less and less heed to words of caution and restraint from a shrinking minority, then that free nation has trouble lurking on the horizon.

Thoughtful people might say, "Well, State and local responsibility must be superseded when it fails to meet its reasonable obligations, if justice is to be done."

Let me contend that there is another alternative. And that is to work ever more to develop and foster local responsibility; to recognize the need for leadership, and to build it—in this case, to stimulate the spirit of moderation instead of to stifle it; to recognize progress where it exists, and encourage it rather than penalize it as we are about to do.

The headlong rush to establish Federal enforcers is an irreversible act. This authority, once established, will not be revoked. It can only be expanded.

The trend, however, appears inevitable, and is due in large part to an emotional public misreading of the signs and to a departure from Abraham Lincoln's wise caution to which we gave great honor at the Capitol Building only a few short days ago: "Let us judge not that we be not judged."

Salute to St. Patrick and the American Irish

EXTENSION OF REMARKS
OF
HON. JOHN M. MURPHY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 17, 1965

Mr. MURPHY of New York. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the

following salute to St. Patrick and to the American Irish.

It was all of 2,000 years ago that Cato the Elder said:

The Celts devote themselves mainly to two things: Fighting and talking.

Now I do not know if Cato was the noblest Roman of them all, but the old boy had to be one of the smartest. Yet, he neglected to mention one thing: The Irish will fight with or for almost anybody, but their talking is chiefly about their land.

On this glorious St. Patrick's Day, can we not be forgiven for dwelling upon Ireland just a bit? It has been said that blessed is he who tooteth his own horn; if so, we Irish are thrice blessed. Anyway, I am not like one of our notable countrymen, writer and scholar George Moore, who once said that his only claim to originality among Irishmen was that he never made a speech. I have made a number, and if the voters are willing, I hope to make a lot more.

The salute to St. Patrick follows:

SALUTE TO ST. PATRICK

It is common knowledge that during the Irish potato famine the population of Ireland dropped from 8 to 6 million people in a 2-year period; that the Irish were totally illiterate due to a 100-year restriction of no Irishman being able to read or write—imposed by the British. They owned no land and paid rent to British landlords and had such small plots of land that a small potato harvest, a mud shack, and maybe a pig and two or three chickens represented their entire stake in life. The Irish came to this country and were given hope for a decent life and, if not for themselves, at least for their children, the opportunity to work.

Well now, what is the other side of the coin? What have we Irish done for this country? Have we paid something on account on this enormous debt we owe? As one of our own was fond of saying, "Let's look at the record."

Oddly, even the Irish tend to date their participation in the affairs of this country from the years immediately following the great famine. True, better than a million and a half Irish emigrated in the decade after 1845, mostly to New York and Boston, and millions more followed them up to the early 1900's—so many that there was a saying, "The Statue of Liberty was sculpted by an Italian and donated by the French to welcome the Irish to the Dutch city of New York."

But the Irish were here nearly from the start. It is known that some Irish and Scotch settled along the Merrimack River as early as 1634, and in 1654 the ship *Good Fellow* arrived in Boston with 400-odd Irishmen—and even as early as that the Irish were accused of trying to take over the country. They were being accused of it as late as 1960 also.

The part of the Irish in the American Revolution has, for reasons unknown, received little attention. Historically, the Revolution has remained almost the exclusive property of the English-descended American. Yet this is by no means justified. The Irish have a very solid claim to a share in that fight. How could history ignore the propensity of the Irish for a rebellion, particularly against the sassenach? In the general population of the Colonies, the feeling was pretty well divided, tory and rebel, but among the Irish, who were especially numerous in Pennsylvania, the sympathy was rebel to a man. In the Irish Parliament, to which only members of the Church of Ireland could belong, one legislator replied to a Crown question on sympathy with the Americans by saying: "Where Irish hearts are, their hands are also."

At that time, some 35,000 Irish were arriving on these shores annually, and a good many got here just in time to pick up a musket in anger against the minions of bullheaded George III.

Some estimates say that fully a third of Washington's troops were Irish, old or new generation, and out of 731 foreign born in the Pennsylvania Line of Ireland Regiment, 361 hailed from the "ould" sod. And to anyone who might say, "True, perhaps, but no doubt they were all privates," you can firmly point out that 16 of Washington's general officers were Irishmen, most of them members of the Friendly Sons of St. Patrick, an open-handed group which donated the then enormous sum of 150,000 pounds to the Revolutionary cause. And among the illustrious Sons of St. Patrick in those brave days were John Barry, generally called the father of the U.S. Navy, and Gen. Mad Anthony Wayne, a broth of a boy and a fighter beyond compare. And let me here inject a word for the Kellys—are there any Kellys in the house?—who, I must say, led all the rest of the Revolution's muster rolls with 695 stalwart souls.

And what about the Sullivans, a proud clan to be sure? Well, five of them were officers in Washington's army, one—John Sullivan, wrote that part of the Declaration of Independence listing the wrongs of the British, and among them were a future Governor, judge, and attorney general of New Hampshire, and a future Governor of Massachusetts. Incidentally, three Irish-born Americans; namely, James Smith, Matthew Thornton, and George Taylor, were signers of the Declaration of Independence. Naturally, I could go on about the deeds of the clan Murphy also, but modesty forbids me.

But being that contradiction in terms, an honest politician, I will add that not every page in the Irish chapters of the Revolution was one of glory. In all candor, the Pennsylvania Line Regiment did engage in a bit of a donnybrook with the authorities, provoked by what was then called barrel fever. They rebelled against their officers, but not against the Government. The British heard about it, and being British, concluded to capitalize on the Irish disaffection in the ranks. So, they sent two emissaries into the rebel camp with a suggestion that they go over to the British. The Irish promptly hanged them as spies. (Somehow, the English never, never understood the Irish.) And, their frustrations happily removed, returned vigorously to the fray.

Nor should we overlook the contributions of two unsung heroes of Irish extraction, Patrick O'Flynn, of Wilmington, Del., and Hercules Mulligan—now there's a name for you—of New York. Patrick was a captain in Washington's army and afterward a tavernkeeper in the manner of tavernkeepers of every era. He became a confidant of the first President, who was not averse to a dram or two on a wintry night. Hercules Mulligan was Washington's confidential agent, and in 1781 furnished a tip that helped prevent the general's capture by the British on a trip to Newport.

In the early years of this Republic, the Irish were on every level of society—in the professions, in business, and in agriculture, and in one notable instance, in inventive science. It was the son of poor Irish parents, Robert Fulton, who astonished all New York back in 1807 by setting forth on the Hudson River in a steamboat that sped along at the frightening rate of 5 miles per hour. There were slurs at the time that, of course, the Irish invented the steamboat—because they so abhorred undiluted water that they wished to cross it in the least possible time. (English spite, undoubtedly, but it is a criticism that has been leveled at the Irish for these many years.)

'Tis true the Irish will take a drink now and then, but only if they are alone or with somebody—and then solely for medicinal purposes. As Mark Twain once said, "Give an Irishman lager for a month and he's a dead man. An Irishman is lined with copper, and beer corrodes it. But whisky polishes the copper and is the saving of him." Nothing like going home with a high polish, either. (And there was the proper Irish lady who was asked at customs if she had anything to declare. "Nivir a bit," said she. "Then, old girl," demanded the customs inspector, "just what's in this bottle?" "Holy water," she said, "and bad cess to ye." "Holy water, eh?" sneered the inspector, sniffing the contents. "Why this is whisky." "Faith, an' it's a miracle," cried the lady.

Of course, many people overlook the fact that the Irish took the whisky because their wages included whisky as part of the payment. This was all included in the labor contractors' scheme to keep the Irish in subservience. The abject poverty in which they lived also made whisky a way of helping the dreary living conditions and a future which to them seemed nonexistent. It also was a solace for a man who worked 17 hours to soothe his aching muscles with a drink or two of the hard stuff.

And there's truth too in the old Irish adage that drink is the good man's vice: some of the more notable tyrants of history—Cromwell and Hitler are two that come to mind—were teetotalers. An Irishman's instinct tells him never to trust a man who'll not take a social drink; and, as we know, an Irishman's instinct is well-nigh infallible in all important matters.

The Irish affinity to politics, of course, is closely associated with the name Tammany Hall. It seems incongruous that Tammany Hall and New York City were dead set against the Irish in the early 1800's; however, after Gov. De Witt Clinton, of New York, realized it was the Irish affinity for hard work that made it possible for him to build his canal, and further realizing that a drastic change had to be made in the voting eligibility requirements to make this a truly great America, he initiated the movement to bring the Irish immigrants into the Democratic Party. At the outset the Irish were not eligible to vote because of the requirement that a voter be a landowner and also have 14 years' residence in this country. Tammany changed this and made the Irishman of the streets an eligible voter.

The swift and total identity of the Irish with America was marked by many and marveled at, particularly by the Englishmen. One, a J. Kent, who traveled here just after the Revolution, had this to say: "An Irishman, the instant he sets foot on American ground, becomes ipso facto an American; this was uniformly the case during the whole of the late war. Whilst Englishmen and Scotsmen were regarded with jealousy and distrust, even with the best recommendation of zeal and attachment to the cause, a native of Ireland stood in need of no other certificate than his brogue—indeed, their conduct in the late revolution amply justified this favorable opinion, for whilst the Irish emigrant was fighting the battles of America by sea and land, the Irish merchants labored to increase the wealth and maintain the credit of the country."

By the time of the Civil War the Irish were not only established in America but in some parts of it, notably in the cities of the North and East, they were becoming a power. New York, of course, was and is the capital of the Irish in the United States, with Boston, perhaps, a close second and Chicago running third. But contrary to popular belief there were many Irish in the South even before the Civil War, principally in New Orleans, Mobile, Galveston, Savannah, and Charleston. Quite a number of them were wealthy and, as improbable as it seems in the light of Irish history, they were represented

among the slaveholding class in coastal Maryland, South Carolina, and Georgia. This can be explained by pointing out that the position of the Catholic Church then was that slavery was a natural disaster, akin to war and pestilence, and beyond human ability to eradicate wholly. However, in 1839 Pope Gregory declared slavery as being immoral.

Thus was it that in the South, as well as in the North, the Irish flocked to the colors when the cannon boomed at Sumter. There were upward of 400,000 in the Union Army, some 85,000 in the Confederate. And among them were figures who will always live in American history—Phil Sheridan, the peerless cavalry leader who conquered the Shenandoah Valley for the North; George G. Meade, victor at Gettysburg; Thomas Francis Meagher, the exiled Irish patriot who led the Union's famous Irish Brigade, and the war's most colorful general, the incomparable Phil Kearny, who, in the opinion of high southern officers, would have won the war early for the North had it not been for his untimely death.

Kearny, I might add, was the very epitome of the Irish hero—brave to an incredible degree, as handsome as he was dashing, a scholar of high attainment, a noted wit, and something of a poet. Quite a man with the ladies, too. The town of Kearny, N.J., is named after him and it is a shame that some of our Irish historical societies haven't done more to keep his name alive.

The Irish attitude toward war is neatly summed up in an incident that involved Stonewall Jackson, a very flinty type, and one of his subordinate commanders, General Taylor, son of old Zachary Taylor. Taylor, a Louisianian, reported to Jackson one day with his troops, among whom were a bunch of pellmell New Orleans Irishmen. Their discipline in camp left something to be desired; namely, discipline, and Stonewall was unimpressed. "Rather frivolous fellows for serious work," he grunted. Next day after the Hibernians distinguished themselves when the shooting started, Stonewall sought out Taylor. "I was wrong," he grunted, and rode off.

"The mad gaels of Ireland
Are a race that God made mad
For all their wars are merry
And all their songs are sad."
—C. K. CHESTERTON.

Really, however, the role of the Irish in American military history needs no reciting; it is inscribed on thousands of monuments, in cemeteries across this wide country as well as in foreign lands. Nor do I need to dwell on the Irish preeminence in the clergy, their lustrous part in the professions, particularly in the law, their contribution to letters and to education, and their bent for business. Irish success in these fields has already been acclaimed.

The Irish have always been known for their religiousness and I don't want to confuse this with devoutness. The Irish record in politics and in business has always been characterized by the purest of motives. However, the Irish devotion to God and gift of faith has been the greatest factor in bringing him through the great suffering that he was subjected to, both in his native land and this one. The story of the Molly Maguires in the Pennsylvania coalfields who righted the slave conditions and injustices to not only the Irish but to the English, Welch and Germans, is a controversial page in American history. True, the Molly Maguires murdered some company men, but it was through their efforts that minimum wages, decent working hours, and safe conditions in the mines and factories emanated.

But to me, the greatest contribution we Irish have made to America is in politics. Over the years the profession, or art, of politics has been derided, unjustly, in my opinion. Politics is the management of public affairs, and the only alternative to it is anarchy. To be a successful practitioner requires flexibility, compassion, a genuine liking for people and an understanding of their imperfections; all qualities that go into the Irish character. From the start, it was apparent that the American system of politics was tailored to the Irish and they to it.

Basically, politics is people, and the Irish have a winning way with people, as even their enemies will agree.

The Irish soon discovered that, on election day, one man was every bit as good as another and maybe even a little bit better. The thoughtful among them realized, particularly during the big waves of immigration, when anti-Irish feeling ran high, that only by participation in politics could the opportunity for self-improvement be obtained. They knew, too, that commiserating among themselves was self-defeating. The signs that read "No Irish Need Apply" would not be taken down for the asking nor would the stereotype of the comic Irishman vanish unless a truer image supplanted it. So, these politicians went to work in the wards, persuading, cajoling, and on occasion, using a little muscle to get out the vote.

From the first the Irish were attracted to the Democratic Party, the party of the people from Andrew Jackson's day to this—and I like to think that, in large measure, they are the Democratic Party. No other ethnic group in this country has remained as steadfastly loyal to it for so long. Others have joined for a time, then drifted away when the candidate or a particular stand was not to their liking. However, in 1920 Irish sentiment in this country ran so high against Woodrow Wilson because of his refusal to assist Ireland in her independence movement from Great Britain, particularly the bloodshed of the Irish War of Independence of 1916, that the Irish voted unanimously for a Republican President, Warren G. Harding, to the overwhelming defeat of James M. Cox, of Ohio. The British realized the American sentiments expressed in this election and in 1921 set Ireland free.

Nor have the bulk of the Irish been deluded by the spurious logic of the "best man" argument. They vote for principle, not personality; for people, not private interests.

In the framework of the Democratic Party the Irish swiftly challenged the old-line Republican power structure and, over the years, began to make their influence felt. It was a struggle, there were discouraging setbacks, and at times it seemed as if the task was hopeless. But as Irish names began to appear on the ballots in important elections, the mass of the Irish began to lift their heads in new self-respect. If it could be done in politics, it could be done in other fields, and now they had friends in fairly high places to help them fight the battle. The Irish could apply.

Today, we seldom think of the time when the Irish were the hewers of wood and the drawers of water. The ditchdigger's shovel has been forgotten; some of the Irish have so far forgotten it that they are Republicans. Most think the battle for recognition was won long ago. In fact, it was not. One door remained closed to the Irish, and even they felt it might never open. Again, it was the politician, often damned, seldom appreciated, who eyed the door from the standpoint of the possible.

The young, vigorous man who chose to storm this door was told that he was facing certain defeat, that he was stirring up prejudice dormant for decades, that he was chancing the destruction of his party. His instinct told him the cassandras were wrong. With charm, wit, disarming candor, and a masterful grasp of practical politics, the heritage of those ward-pounding pioneers of a century ago, John Fitzgerald Kennedy removed from the White House the last sign that read: "No Irish Need Apply."

In removing it, he dramatized, to my mind, the coming of age of both this country and the Irish in it. He was the symbol of the immigrant—a symbol not exclusively reserved for the Irish.

I think that Leonard Patrick O'Connor Wibberley in a summation of his book, "The Coming of the Green," tells us the Irish contribution not only to America, but to the world:

"The Irish immigrants did what every foreign group must do to win the name American. They fought with an unrelenting courage in the economic, political, and military battles of the country. They would not give an inch. They were despised and rejected and discriminated against, but they did not make this an occasion for wailing, but only fought the harder.

"They did not desert their faith, once so unpopular, in order to gain acceptance. Nor did they forget their homeland, for though they believed that freedom began with the American coastline, they saw no reason why it should also end there. They voted in the United States with an eye to the effect on the freedom of Ireland, and in so doing they broadened the scope of American political thinking.

"The slums did not hold them. The mines did not break them. They were not lost building roads and canals in the wilderness. They were not defeated at the foot of Marye's Heights.

"It was a grand battle, indeed."

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 18, 1965

The House met at 12 o'clock noon.

Rabbi Sidney Harcsztark, administrator, Yeshiva Rambam, 3121 Kings Highway, Brooklyn, N.Y., offered the following prayer:

O Heavenly Father, Thou who hast endowed men with the noble ambition and blessed ability to lead their fellow men in the paths of righteousness of state, and hast inspired them to serve the people of these United States of America with honor.

Invest those legislators gathered here in august assembly with dedicated souls so that they may illustrate the finest and most worthy traditions of this great democracy to the end that they will be praised for their actions and deeds by the American people and mankind the world over.

Bless these servants with powerful hands so that with the practical sagacity which is their hallmark they may unite and solidify a globe jigsawed with boundaries. Bless their new quest to grant real meaning to the dignity of men, as all men are born in the image of God.

Grant them courage and wisdom so that through their guidance and leadership they may bring healing for the multitude of lives emptied of meaning, solace for the multitude of souls scarred with the weary search for peace and rest, comfort for the multitude of hearts stabbed with the frustrations of our everyday existence.